

1 A bill to be entitled
 2 An act relating to foreign-licensed physicians;
 3 amending s. 458.311, F.S.; providing an alternative to
 4 approved residency requirement for foreign-trained
 5 physicians; conforming a cross-reference; amending s.
 6 458.313, 458.316, 458.3165, F.S.; conforming cross-
 7 references; providing an effective date.

8

9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsections (3) through (8) of section 458.311,
 12 Florida Statutes, are renumbered as subsections (4) through (9),
 13 respectively, present subsection (5) is amended, and a new
 14 subsection (3) is added to that section, to read:

15 458.311 Licensure by examination; requirements; fees.—

16 (3) Notwithstanding the provisions of sub-subparagraph
 17 (1)(f)2.c. and (1)(f)3.c., a graduate of a foreign medical
 18 school is not required to complete an approved residency if he
 19 or she:

20 (a) Holds an active, unencumbered license to practice
 21 medicine in a foreign country.

22 (b) Has actively practiced medicine in the 4 years
 23 preceding the date of the submission of the application.

24 (c) Has completed a residency or substantially similar
 25 postgraduate medical training in a country recognized by his or

26 | her licensing jurisdiction or has practiced medicine in his or
27 | her licensing jurisdiction for at least 5 years.

28 | (d) Has an offer for full-time employment as a physician
29 | for a health care provider that operates in the state. The
30 | applicant must maintain such employment with the original
31 | employer or with a health care provider that operates in the
32 | state for at least 2 consecutive years after licensure. The
33 | applicant must notify the board within 5 business days after any
34 | change in employer.

35 | (6)~~(5)~~ The board may not certify to the department for
36 | licensure any applicant who is under investigation in another
37 | jurisdiction for an offense which would constitute a violation
38 | of this chapter until such investigation is completed. Upon
39 | completion of the investigation, the provisions of s. 458.331
40 | shall apply. Furthermore, the department may not issue an
41 | unrestricted license to any individual who has committed any act
42 | or offense in any jurisdiction which would constitute the basis
43 | for disciplining a physician pursuant to s. 458.331. When the
44 | board finds that an individual has committed an act or offense
45 | in any jurisdiction which would constitute the basis for
46 | disciplining a physician pursuant to s. 458.331, then the board
47 | may enter an order imposing one or more of the terms set forth
48 | in subsection (9) ~~(8)~~.

49 | Section 2. Paragraph (a) of subsection (1) of section
50 | 458.313, Florida Statutes, is amended to read:

51 458.313 Licensure by endorsement; requirements; fees.—

52 (1) The department shall issue a license by endorsement to
 53 any applicant who, upon applying to the department on forms
 54 furnished by the department and remitting a fee set by the board
 55 not to exceed \$500, the board certifies:

56 (a) Has met the qualifications for licensure in s.
 57 458.311(1)(b)-(g) or in s. 458.311(1)(b)-(e) and (g) and (4)
 58 ~~(3)~~;

59 Section 3. Subsection (1) of section 458.316, Florida
 60 Statutes, is amended to read:

61 458.316 Public health certificate.—

62 (1) Any person desiring to obtain a public health
 63 certificate shall submit an application fee not to exceed \$300
 64 and shall demonstrate to the board that he or she is a graduate
 65 of an accredited medical school and holds a master of public
 66 health degree or is board eligible or certified in public health
 67 or preventive medicine, or is licensed to practice medicine
 68 without restriction in another jurisdiction in the United States
 69 and holds a master of public health degree or is board eligible
 70 or certified in public health or preventive medicine, and shall
 71 meet the requirements in s. 458.311(1)(a)-(g) and (6) ~~(5)~~.

72 Section 4. Section 458.3165, Florida Statutes, is amended
 73 to read:

74 458.3165 Public psychiatry certificate.—The board shall
 75 issue a public psychiatry certificate to an individual who

76 | remits an application fee not to exceed \$300, as set by the
77 | board, who is a board-certified psychiatrist, who is licensed to
78 | practice medicine without restriction in another state, and who
79 | meets the requirements in s. 458.311(1)(a)-(g) and (6) ~~(5)~~. A
80 | recipient of a public psychiatry certificate may use the
81 | certificate to work at any public mental health facility or
82 | program funded in part or entirely by state funds.

83 | (1) Such certificate shall:

84 | (a) Authorize the holder to practice only in a public
85 | mental health facility or program funded in part or entirely by
86 | state funds.

87 | (b) Be issued and renewable biennially if the State
88 | Surgeon General and the chair of the department of psychiatry at
89 | one of the public medical schools or the chair of the department
90 | of psychiatry at the accredited medical school at the University
91 | of Miami recommend in writing that the certificate be issued or
92 | renewed.

93 | (c) Automatically expire if the holder's relationship with
94 | a public mental health facility or program expires.

95 | (d) Not be issued to a person who has been adjudged
96 | unqualified or guilty of any of the prohibited acts in this
97 | chapter.

98 | (2) The board may take disciplinary action against a
99 | certificateholder for noncompliance with any part of this
100 | section or for any reason for which a regular licensee may be

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101 | subject to discipline.

102 | Section 5. This act shall take effect July 1, 2023.