



691062

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/22/2023	.	
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The Committee on Health Policy (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 456.0651, Florida Statutes, is created
to read:

456.0651 Health care practitioner titles and designations.-

(1) As used in this section, the term:

(a) "Advertisement" means any printed, electronic, or oral
statement that:



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11 1. Is communicated or disseminated to the general public;

12 2.a. Is intended to encourage a person to use a
13 practitioner's professional services or to promote those
14 services or the practitioner in general; or

15 b. For commercial purposes, names a practitioner in
16 connection with the practice, profession, or institution in
17 which the practitioner is employed, volunteers, or provides
18 health care services; and

19 3. Is prepared, communicated, or disseminated under the
20 control of the practitioner or with the practitioner's consent.

21 (b) "Educational degree" means the degree awarded to a
22 practitioner by a college or university relating to the
23 practitioner's profession or specialty designation which may be
24 referenced in an advertisement by name or acronym.

25 (c) "Misleading, deceptive, or fraudulent representation"
26 means any information that misrepresents or falsely describes a
27 practitioner's profession, skills, training, expertise,
28 educational degree, board certification, or licensure.

29 (d) "Profession" means the name or title of a
30 practitioner's profession that is regulated by the department in
31 the Division of Medical Quality Assurance and which is allowed
32 to be used by an individual due to his or her license, license
33 by endorsement, certification, or registration issued by a board
34 or the department. The term does not include a practitioner's
35 license or educational degree.

36 (2) For purposes of this section and s. 456.065, in
37 addition to the definition of "practice of medicine" in s.
38 458.305 and the definition of "practice of osteopathic medicine"
39 in s. 459.003, the practice of medicine or osteopathic medicine



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40 also includes attaching to one's name, either alone or in
41 combination, or in connection with other words, any of the
42 following titles or designations, if used in an advertisement or
43 in a manner that constitutes a misleading, deceptive, or
44 fraudulent representation:

- 45 (a) Doctor of medicine.
- 46 (b) M.D.
- 47 (c) Doctor of osteopathy.
- 48 (d) D.O.
- 49 (e) Physician.
- 50 (f) Emergency physician.
- 51 (g) Family practice physician.
- 52 (h) Interventional pain physician.
- 53 (i) Medical doctor.
- 54 (j) Osteopath.
- 55 (k) Osteopathic medical physician.
- 56 (l) Surgeon.
- 57 (m) Anesthesiologist.
- 58 (n) Cardiologist.
- 59 (o) Dermatologist.
- 60 (p) Endocrinologist.
- 61 (q) Gastroenterologist.
- 62 (r) Gynecologist.
- 63 (s) Hematologist.
- 64 (t) Internist.
- 65 (u) Laryngologist.
- 66 (v) Nephrologist.
- 67 (w) Neurologist.
- 68 (x) Obstetrician.



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- 69 (y) Oncologist.
- 70 (z) Ophthalmologist.
- 71 (aa) Orthopedic surgeon.
- 72 (bb) Orthopedist.
- 73 (cc) Otologist.
- 74 (dd) Otolaryngologist.
- 75 (ee) Otorhinolaryngologist.
- 76 (ff) Pathologist.
- 77 (gg) Pediatrician.
- 78 (hh) Primary care physician.
- 79 (ii) Proctologist.
- 80 (jj) Psychiatrist.
- 81 (kk) Radiologist.
- 82 (ll) Rheumatologist.
- 83 (mm) Rhinologist.
- 84 (nn) Urologist.

85 (3) Notwithstanding subsection (2):

86 (a) A licensed practitioner may use the name or title of
87 his or her profession which is authorized under his or her
88 practice act, and any corresponding designations or initials so
89 authorized, to describe himself or herself and his or her
90 practice.

91 (b) A licensed practitioner who has a specialty area of
92 practice authorized under his or her practice act may use the
93 following format to identify himself or herself or describe his
94 or her practice: "... (name or title of the practitioner's
95 profession) ..., specializing in ... (name of the practitioner's
96 specialty)"

97 (c) A chiropractic physician licensed under chapter 460 may



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98 use the titles "chiropractic physician" and "doctor of
99 chiropractic medicine" and other titles or designations
100 authorized under his or her practice act.

101 (d) A podiatric physician licensed under chapter 461 may
102 use the following titles and abbreviations as applicable to his
103 or her license, specialty, and certification: "podiatric
104 physician," "podiatric surgeon," and other titles or
105 abbreviations authorized under his or her practice act.

106 (e) A dentist licensed under chapter 466 may use the
107 following titles and abbreviations as applicable to his or her
108 license, specialty, and certification: "doctor of medicine in
109 dentistry," "doctor of dental medicine," "D.M.D.," "doctor of
110 dental surgery," "D.D.S.," "oral and maxillofacial surgeon,"
111 "O.M.S.," "oral radiologist," and any other titles or
112 abbreviations authorized under his or her practice act.

113 (f) An anesthesiologist assistant licensed under chapter
114 458 or chapter 459 may use only the titles "anesthesiologist
115 assistant" or "certified anesthesiologist assistant" and the
116 abbreviation "C.A.A."

117 Section 2. Paragraph (t) of subsection (1) of section
118 456.072, Florida Statutes, is amended to read:

119 456.072 Grounds for discipline; penalties; enforcement.—

120 (1) The following acts shall constitute grounds for which
121 the disciplinary actions specified in subsection (2) may be
122 taken:

123 (t)1. A practitioner's failure, when treating or consulting
124 with a patient, ~~Failing to identify through written notice,~~
125 ~~which may include the wearing of a name tag~~ the practitioner's
126 name and, ~~or orally to a patient~~ the profession, as defined in



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127 s. 456.0651, ~~type of license~~ under which the practitioner is
128 practicing. The information on the name tag must be consistent
129 with the specifications of s. 456.0651(2) such that it does not
130 constitute the unlicensed practice of medicine or osteopathic
131 medicine.

132 2. The failure of any advertisement for health care
133 services naming the practitioner to ~~must~~ identify the
134 profession, as defined in s. 456.0651, under which the
135 practitioner is practicing and the practitioner's educational
136 degree, as defined in s. 456.0651, in relation to the services
137 featured in the advertisement ~~type of license the practitioner~~
138 ~~holds.~~

139 3. Subparagraph 1. ~~This paragraph~~ does not apply to a
140 practitioner while the practitioner is providing services in his
141 or her own office that houses his or her practice or group
142 practice. In such a case, in lieu of a name tag, the
143 practitioner must prominently display a copy of his or her
144 license in a conspicuous area of the practice so that it is
145 easily visible to patients. The copy of the license must be no
146 smaller than the original license. The practitioner must also
147 verbally identify himself or herself to a new patient by name
148 and identify the profession, as defined in s. 456.0651, under
149 which the practitioner is practicing. Such verbal identification
150 must be consistent with the specifications of s. 456.0651(2)
151 such that it does not constitute the unlicensed practice of
152 medicine or osteopathic medicine ~~a facility licensed under~~
153 ~~chapter 394, chapter 395, chapter 400, or chapter 429.~~

154 4. Each board, or the department if ~~where~~ there is no
155 board, shall ~~is authorized~~ by rule ~~to~~ determine how its



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156 practitioners must ~~may~~ comply with this paragraph ~~disclosure~~
157 ~~requirement~~.

158 Section 3. This act shall take effect July 1, 2023.

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160 ===== T I T L E A M E N D M E N T =====

161 And the title is amended as follows:

162 Delete everything before the enacting clause
163 and insert:

164 A bill to be entitled

165 An act relating to health care practitioner titles and
166 designations; creating s. 456.0651, F.S.; defining
167 terms; providing that, for specified purposes, the use
168 of specified titles or designations in connection with
169 one's name constitutes the practice of medicine or the
170 practice of osteopathic medicine; providing
171 exceptions; amending s. 456.072, F.S.; revising
172 grounds for disciplinary action relating to a
173 practitioner's use of such titles or designations in
174 identifying himself or herself or in advertisements
175 for health care services; revising applicability;
176 requiring certain health care practitioners to
177 prominently display a copy of their license in a
178 conspicuous area of their practices; requiring that
179 the copy of the license be a specified size; requiring
180 health care practitioners to verbally identify
181 themselves in a specified manner to new patients;
182 requiring, rather than authorizing, certain boards, or
183 the Department of Health if there is no board, to
184 adopt certain rules; providing an effective date.