

By the Committees on Rules; and Health Policy; and Senator Harrell

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1 A bill to be entitled  
2 An act relating to health care practitioner titles and  
3 designations; creating s. 456.0651, F.S.; defining  
4 terms; providing that, for specified purposes, the use  
5 of specified titles or designations in connection with  
6 one's name constitutes the practice of medicine or the  
7 practice of osteopathic medicine; providing  
8 exceptions; amending s. 456.072, F.S.; revising  
9 grounds for disciplinary action relating to a  
10 practitioner's use of such titles or designations in  
11 identifying himself or herself to patients or in  
12 advertisements for health care services; revising  
13 applicability; requiring certain health care  
14 practitioners to prominently display a copy of their  
15 license in a conspicuous area of their practice;  
16 requiring that the copy of the license be a specified  
17 size; requiring such health care practitioners to also  
18 verbally identify themselves in a specified manner to  
19 new patients; requiring, rather than authorizing,  
20 certain boards, or the Department of Health if there  
21 is no board, to adopt certain rules; providing an  
22 effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Section 456.0651, Florida Statutes, is created  
27 to read:

28 456.0651 Health care practitioner titles and designations.-

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

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

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

33 2.a. Is intended to encourage a person to use a  
34 practitioner's professional services or to promote those  
35 services or the practitioner in general; or

36 b. For commercial purposes, names a practitioner in  
37 connection with the practice, profession, or institution in  
38 which the practitioner is employed, volunteers, or provides  
39 health care services; and

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

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

46 (c) "Misleading, deceptive, or fraudulent representation"  
47 means any information that misrepresents or falsely describes a  
48 practitioner's profession, skills, training, expertise,  
49 educational degree, board certification, or licensure.

50 (d) "Practitioner" means a health care practitioner as  
51 defined in s. 456.001.

52 (e) "Profession," in addition to the meaning provided in s.  
53 456.001, also means the name or title of a practitioner's  
54 profession that is regulated by the department in the Division  
55 of Medical Quality Assurance and which is allowed to be used by  
56 an individual due to his or her license, license by endorsement,  
57 certification, or registration issued by a board or the  
58 department. The term does not include a practitioner's license

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59 or educational degree.

60 (2) For purposes of this section and s. 456.065, in  
61 addition to the definition of "practice of medicine" in s.  
62 458.305 and the definition of "practice of osteopathic medicine"  
63 in s. 459.003, the practice of medicine or osteopathic medicine  
64 also includes attaching to one's name, either alone or in  
65 combination, or in connection with other words, any of the  
66 following titles or designations, if used in an advertisement or  
67 in a manner that constitutes a misleading, deceptive, or  
68 fraudulent representation:

69 (a) Doctor of medicine.

70 (b) M.D.

71 (c) Doctor of osteopathy.

72 (d) D.O.

73 (e) Physician.

74 (f) Emergency physician.

75 (g) Family physician.

76 (h) Interventional pain physician.

77 (i) Medical doctor.

78 (j) Osteopath.

79 (k) Osteopathic physician.

80 (l) Doctor of osteopathic medicine.

81 (m) Surgeon.

82 (n) Neurosurgeon.

83 (o) General surgeon.

84 (p) Resident physician.

85 (q) Medical resident.

86 (r) Medical intern.

87 (s) Anesthesiologist.

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88        (t) Cardiologist.  
89        (u) Dermatologist.  
90        (v) Endocrinologist.  
91        (w) Gastroenterologist.  
92        (x) Gynecologist.  
93        (y) Hematologist.  
94        (z) Hospitalist.  
95        (aa) Intensivist.  
96        (bb) Internist.  
97        (cc) Laryngologist.  
98        (dd) Nephrologist.  
99        (ee) Neurologist.  
100       (ff) Obstetrician.  
101       (gg) Oncologist.  
102       (hh) Ophthalmologist.  
103       (ii) Orthopedic surgeon.  
104       (jj) Orthopedist.  
105       (kk) Otologist.  
106       (ll) Otolaryngologist.  
107       (mm) Otorhinolaryngologist.  
108       (nn) Pathologist.  
109       (oo) Pediatrician.  
110       (pp) Primary care physician.  
111       (qq) Proctologist.  
112       (rr) Psychiatrist.  
113       (ss) Radiologist.  
114       (tt) Rheumatologist.  
115       (uu) Rhinologist.  
116       (vv) Urologist.

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117 (3) Notwithstanding subsection (2):

118 (a) A licensed practitioner may use the name or title of  
119 his or her profession which is authorized under his or her  
120 practice act, and any corresponding designations or initials so  
121 authorized, to describe himself or herself and his or her  
122 practice.

123 (b) A licensed practitioner who has a specialty area of  
124 practice authorized under his or her practice act may use the  
125 following format to identify himself or herself or describe his  
126 or her practice: "... (name or title of the practitioner's  
127 profession)..., specializing in ... (name of the practitioner's  
128 specialty)...."

129 (c) A chiropractic physician licensed under chapter 460 may  
130 use the titles "chiropractic physician," "doctor of chiropractic  
131 medicine," "chiropractic radiologist," and other titles,  
132 abbreviations, or designations authorized under his or her  
133 practice act or reflecting those chiropractic specialty areas in  
134 which the chiropractic physician has attained diplomate status  
135 as recognized by the American Chiropractic Association, the  
136 International Chiropractors Association, the International  
137 Academy of Clinical Neurology, or the International Chiropractic  
138 Pediatric Association.

139 (d) A podiatric physician licensed under chapter 461 may  
140 use the following titles and abbreviations as applicable to his  
141 or her license, specialty, and certification: "podiatric  
142 physician," "podiatric surgeon," "Fellow in the American College  
143 of Foot and Ankle Surgeons," and other titles or abbreviations  
144 authorized under his or her practice act.

145 (e) A dentist licensed under chapter 466 may use the

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146 following titles and abbreviations as applicable to his or her  
147 license, specialty, and certification: "doctor of medicine in  
148 dentistry," "doctor of dental medicine," "D.M.D.," "doctor of  
149 dental surgery," "D.D.S.," "oral surgeon," "maxillofacial  
150 surgeon," "oral and maxillofacial surgeon," "O.M.S.," "oral  
151 radiologist," "dental anesthesiologist," "oral pathologist," and  
152 any other titles or abbreviations authorized under his or her  
153 practice act.

154 (f) An anesthesiologist assistant licensed under chapter  
155 458 or chapter 459 may use only the titles "anesthesiologist  
156 assistant" or "certified anesthesiologist assistant" and the  
157 abbreviation "C.A.A."

158 Section 2. Paragraph (t) of subsection (1) of section  
159 456.072, Florida Statutes, is amended to read:

160 456.072 Grounds for discipline; penalties; enforcement.—

161 (1) The following acts shall constitute grounds for which  
162 the disciplinary actions specified in subsection (2) may be  
163 taken:

164 (t) 1. A practitioner's failure, when treating or consulting  
165 with a patient, ~~Failing to identify through written notice,~~  
166 ~~which may include~~ the wearing of a name tag the practitioner's  
167 ~~name and, or orally to a patient~~ the profession, as defined in  
168 s. 456.0651, ~~type of license~~ under which the practitioner is  
169 practicing. The information on the name tag must be consistent  
170 with the specifications of s. 456.0651(2) such that it does not  
171 constitute the unlicensed practice of medicine or osteopathic  
172 medicine.

173 2. The failure of any advertisement for health care  
174 services naming the practitioner to ~~must~~ identify the

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175 profession, as defined in s. 456.0651, under which the  
176 practitioner is practicing and the practitioner's educational  
177 degree, as defined in s. 456.0651, in relation to the services  
178 featured in the advertisement ~~type of license the practitioner~~  
179 ~~holds.~~

180 3. Subparagraph 1. This paragraph does not apply to a  
181 practitioner while the practitioner is providing services in his  
182 or her own office that houses his or her practice or group  
183 practice. In such a case, in lieu of a name tag, the  
184 practitioner must prominently display a copy of his or her  
185 license in a conspicuous area of the practice so that it is  
186 easily visible to patients. The copy of the license must be no  
187 smaller than the original license. The practitioner must also  
188 verbally identify himself or herself to a new patient by name  
189 and identify the profession, as defined in s. 456.0651, under  
190 which the practitioner is practicing. Such verbal identification  
191 must be consistent with the specifications of s. 456.0651(2)  
192 such that it does not constitute the unlicensed practice of  
193 medicine or osteopathic medicine ~~a facility licensed under~~  
194 ~~chapter 394, chapter 395, chapter 400, or chapter 429.~~

195 4. Each board, or the department ~~if where~~ there is no  
196 board, shall ~~is authorized~~ by rule ~~to~~ determine how its  
197 practitioners must ~~may~~ comply with this paragraph ~~disclosure~~  
198 ~~requirement.~~

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