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1
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.