

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

28 456.0651 Health care practitioner titles and
 29 designations.-

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

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

33 1. Is communicated or disseminated to the general public.

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

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

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

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

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

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

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

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

70 (a) Doctor of medicine.

71 (b) M.D.

72 (c) Doctor of osteopathy.

73 (d) D.O.

74 (e) Physician.

75 (f) Emergency physician.

- 76 | (g) Family physician.
- 77 | (h) Interventional pain physician.
- 78 | (i) Medical doctor.
- 79 | (j) Osteopath.
- 80 | (k) Osteopathic physician.
- 81 | (l) Doctor of osteopathic medicine.
- 82 | (m) Surgeon.
- 83 | (n) Neurosurgeon.
- 84 | (o) General surgeon.
- 85 | (p) Resident physician.
- 86 | (q) Medical resident.
- 87 | (r) Medical intern.
- 88 | (s) Anesthesiologist.
- 89 | (t) Cardiologist.
- 90 | (u) Dermatologist.
- 91 | (v) Endocrinologist.
- 92 | (w) Gastroenterologist.
- 93 | (x) Gynecologist.
- 94 | (y) Hematologist.
- 95 | (z) Hospitalist.
- 96 | (aa) Intensivist.
- 97 | (bb) Internist.
- 98 | (cc) Laryngologist.
- 99 | (dd) Nephrologist.
- 100 | (ee) Neurologist.

101 (ff) Obstetrician.
 102 (gg) Oncologist.
 103 (hh) Ophthalmologist.
 104 (ii) Orthopedic surgeon.
 105 (jj) Orthopedist.
 106 (kk) Otologist.
 107 (ll) Otolaryngologist.
 108 (mm) Otorhinolaryngologist.
 109 (nn) Pathologist.
 110 (oo) Pediatrician.
 111 (pp) Primary care physician.
 112 (qq) Proctologist.
 113 (rr) Psychiatrist.
 114 (ss) Radiologist.
 115 (tt) Rheumatologist.
 116 (uu) Rhinologist.
 117 (vv) Urologist.
 118 (3) Notwithstanding subsection (2):
 119 (a) A licensed practitioner may use the name or title of
 120 his or her profession which is authorized under his or her
 121 practice act, and any corresponding designations or initials so
 122 authorized, to describe himself or herself and his or her
 123 practice.
 124 (b) A licensed practitioner who has a specialty area of
 125 practice authorized under his or her practice act may use the

126 following format to identify himself or herself or describe his
127 or her practice: "... (name or title of the practitioner's
128 profession)..., specializing in ... (name of the practitioner's
129 specialty)...."

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

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

146 (e) A dentist licensed under chapter 466 may use the
147 following titles and abbreviations as applicable to his or her
148 license, specialty, and certification: "doctor of medicine in
149 dentistry," "doctor of dental medicine," "D.M.D.," "doctor of
150 dental surgery," "D.D.S.," "oral surgeon," "maxillofacial

151 surgeon," "oral and maxillofacial surgeon," "O.M.S.," "oral
152 radiologist," "dental anesthesiologist," "oral pathologist," and
153 other titles or abbreviations authorized under his or her
154 practice act.

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

159 (g) An optometrist licensed under chapter 463 may use the
160 following titles and abbreviations as applicable to his or her
161 license, specialty, and certification: "doctor of optometry,"
162 "optometric physician," and other titles or abbreviations
163 authorized under his or her practice act.

164 Section 2. Paragraph (t) of subsection (1) of section
165 456.072, Florida Statutes, is amended to read:

166 456.072 Grounds for discipline; penalties; enforcement.—

167 (1) The following acts shall constitute grounds for which
168 the disciplinary actions specified in subsection (2) may be
169 taken:

170 (t)1. A practitioner's failure, when treating or
171 consulting with a patient, ~~Failing~~ to identify through ~~written~~
172 notice, ~~which may include~~ the wearing of a name tag the
173 practitioner's name and, ~~or orally to a patient~~ the profession,
174 as defined in s. 456.0651, ~~type of license~~ under which the
175 practitioner is practicing. The information on the name tag must

176 be consistent with the specifications of s. 456.0651(2) such
177 that it does not constitute the unlicensed practice of medicine
178 or osteopathic medicine.

179 2. The failure of any advertisement for health care
180 services naming the practitioner to ~~must~~ identify the
181 profession, as defined in s. 456.0651, under which the
182 practitioner is practicing and the practitioner's educational
183 degree, as defined in s. 456.0651, in relation to the services
184 featured in the advertisement ~~type of license the practitioner~~
185 ~~holds.~~

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

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201 4. Each board, or the department if ~~where~~ there is no
202 board, shall ~~is authorized~~ by rule ~~to~~ determine how its
203 practitioners must ~~may~~ comply with this paragraph ~~disclosure~~
204 ~~requirement~~.

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