



322224

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2024	.	
	.	
	.	
	.	

The Committee on Health Policy (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 456.003, Florida
Statutes, is amended to read:

456.003 Legislative intent; requirements.—

(2) The Legislature further finds ~~believes~~ that such
professions shall be regulated only for the preservation of the
health, safety, and welfare of the public under the police



322224

11 powers of the state, and that the health, safety, and welfare of
12 the public may be harmed or endangered by the unlawful practice
13 of a profession; by a misleading, deceptive, or fraudulent
14 representation relating to a person's authority to lawfully
15 practice a profession; or when patients are uninformed about the
16 profession under which a practitioner is practicing before
17 receiving professional consultation or services from the
18 practitioner. As a matter of great public importance, such
19 professions shall be regulated when:

20 (a) Their unregulated practice can harm or endanger the
21 health, safety, and welfare of the public, and when the
22 potential for such harm is recognizable and clearly outweighs
23 any anticompetitive impact which may result from regulation.

24 (b) The public is not effectively protected by other means,
25 including, but not limited to, other state statutes, local
26 ordinances, or federal legislation.

27 (c) Less restrictive means of regulation are not available.

28 Section 2. Section 456.0651, Florida Statutes, is created
29 to read:

30 456.0651 Health care practitioner titles and designations.—

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

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

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

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

38 b. For commercial purposes, names a practitioner in
39 connection with the practice, profession, or institution in



322224

40 which the practitioner is employed, volunteers, or provides
41 health care services; and

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

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

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

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

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

62 (2) For purposes of this section and s. 456.065, in
63 addition to the definitions of the terms "practice of medicine"
64 in s. 458.305 and "practice of osteopathic medicine" in s.
65 459.003, the practice of medicine or osteopathic medicine also
66 includes attaching to one's name, either alone or in
67 combination, or in connection with other words, any terms
68 indicating that a person is licensed to practice medicine or



322224

69 osteopathic medicine or any of the following titles or
70 designations, if used in an advertisement or in a manner that
71 constitutes a misleading, deceptive, or fraudulent
72 representation:

- 73 (a) Doctor of medicine.
- 74 (b) M.D.
- 75 (c) Doctor of osteopathy.
- 76 (d) D.O.
- 77 (e) Emergency physician.
- 78 (f) Family physician.
- 79 (g) Interventional pain physician.
- 80 (h) Medical doctor.
- 81 (i) Osteopath.
- 82 (j) Osteopathic physician.
- 83 (k) Doctor of osteopathic medicine.
- 84 (l) Surgeon.
- 85 (m) Neurosurgeon.
- 86 (n) General surgeon.
- 87 (o) Resident physician.
- 88 (p) Medical resident.
- 89 (q) Medical intern.
- 90 (r) Anesthesiologist.
- 91 (s) Cardiologist.
- 92 (t) Dermatologist.
- 93 (u) Endocrinologist.
- 94 (v) Gastroenterologist.
- 95 (w) Gynecologist.
- 96 (x) Hematologist.
- 97 (y) Hospitalist.



322224

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



322224

127 practice authorized under his or her practice act may use the
128 following format to identify himself or herself or describe his
129 or her practice: "... (name or title of the practitioner's
130 profession)..., specializing in ... (name of the practitioner's
131 specialty)...."

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

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

148 (e) A dentist licensed under chapter 466 may use the
149 following titles and abbreviations as applicable to his or her
150 license, specialty, and certification: "doctor of medicine in
151 dentistry," "doctor of dental medicine," "D.M.D.," "doctor of
152 dental surgery," "D.D.S.," "oral surgeon," "maxillofacial
153 surgeon," "oral and maxillofacial surgeon," "O.M.S.," "oral
154 radiologist," "dental anesthesiologist," "oral pathologist," and
155 any other titles or abbreviations authorized under his or her



322224

156 practice act.

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

161 (4) This section may not be construed to prohibit or
162 interfere with a licensed practitioner's ability to lawfully
163 bill the Medicare program or other federal health care program
164 using definitions or terminology provided under applicable
165 federal law or regulations for services rendered to a patient
166 enrolled in such program.

167 Section 3. Paragraph (t) of subsection (1) of section
168 456.072, Florida Statutes, is amended to read:

169 456.072 Grounds for discipline; penalties; enforcement.—

170 (1) The following acts shall constitute grounds for which
171 the disciplinary actions specified in subsection (2) may be
172 taken:

173 (t) 1. A practitioner's failure, when treating or consulting
174 with a patient, ~~Failing to identify through written notice,~~
175 ~~which may include~~ the wearing of a name tag the practitioner's
176 name and profession, as defined in s. 456.0651, ~~or orally to a~~
177 ~~patient the type of license~~ under which the practitioner is
178 practicing. The information on the name tag must be consistent
179 with the specifications of s. 456.0651(2) such that it does not
180 constitute the unlicensed practice of medicine or osteopathic
181 medicine.

182 2. The failure of any advertisement for health care
183 services naming the practitioner to ~~must~~ identify the
184 profession, as defined in s. 456.0651, under which the



322224

185 practitioner is practicing and the practitioner's educational
186 degree, as defined in s. 456.0651, in relation to the services
187 featured in the advertisement type of license the practitioner
188 holds.

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

205 4. Each board, or the department if where there is no
206 board, shall is authorized by rule to determine how its
207 practitioners must may comply with this paragraph disclosure
208 requirement.

209 Section 4. This act shall take effect July 1, 2024.

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

212 And the title is amended as follows:

213 Delete everything before the enacting clause



322224

214 and insert:

215 A bill to be entitled
216 An act relating to health care practitioner titles and
217 designations; amending s. 456.003, F.S.; revising
218 legislative findings; creating s. 456.0651, F.S.;
219 defining terms; providing that, for specified
220 purposes, the use of specified titles or designations
221 in connection with one's name constitutes the practice
222 of medicine or the practice of osteopathic medicine;
223 providing exceptions; providing construction; amending
224 s. 456.072, F.S.; revising grounds for disciplinary
225 action relating to a practitioner's use of such titles
226 or designations in identifying himself or herself to
227 patients or in advertisements for health care
228 services; revising applicability; requiring certain
229 health care practitioners to prominently display a
230 copy of their license in a conspicuous area of their
231 practice; requiring that the copy of the license be a
232 specified size; requiring such health care
233 practitioners to also verbally identify themselves in
234 a specified manner to new patients; requiring, rather
235 than authorizing, certain boards, or the Department of
236 Health if there is no board, to adopt certain rules;
237 providing an effective date.