

By Senator Burton

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1 A bill to be entitled
2 An act relating to health care practitioner specialty
3 titles and designations; amending s. 456.003, F.S.;
4 revising legislative findings; creating s. 456.65,
5 F.S.; prohibiting the use of specified titles and
6 designations by health care practitioners not licensed
7 as physicians or osteopathic physicians, as
8 applicable, with an exception; providing that the use
9 of such titles and designations constitutes the
10 unlicensed practice of medicine or osteopathic
11 medicine, as applicable; authorizing the Department of
12 Health to pursue specified remedies for such
13 violations; authorizing health care practitioners to
14 use names and titles, and their corresponding
15 designations and initials, authorized by their
16 respective practice acts; specifying the manner in
17 which health care practitioners may represent their
18 specialty practice areas; specifying titles and
19 abbreviations certain health care practitioners may
20 use; providing construction; amending ss. 458.3312 and
21 459.0152, F.S.; specifying specialist titles and
22 designations that physicians and osteopathic
23 physicians, respectively, are prohibited from using
24 unless they have received formal recognition by the
25 appropriate recognizing agency for such specialty
26 certifications; authorizing the Board of Medicine and
27 the Board of Osteopathic Medicine, as applicable, to
28 adopt certain rules; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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

34 456.003 Legislative intent; requirements.—

35 (2) The Legislature further finds ~~believes~~ that such
36 professions must ~~shall~~ be regulated only for the preservation of
37 the health, safety, and welfare of the public under the police
38 powers of the state, and that the health, safety, and welfare of
39 the public may be harmed or endangered by the unlawful practice
40 of a profession; by a misleading, deceptive, or fraudulent
41 representation relating to a person's authority to practice a
42 profession lawfully; or when patients are uninformed about the
43 profession under which a health care practitioner is practicing
44 before receiving professional consultation or services from the
45 practitioner. As a matter of great public importance, such
46 professions must ~~shall~~ be regulated when:

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

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

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

55 Section 2. Section 456.65, Florida Statutes, is created to
56 read:

57 456.65 Specialties.—

58 (1) (a) A health care practitioner not licensed as a

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59 physician under chapter 458 may not hold himself or herself out
60 to a patient or the public at large as a specialist by
61 describing himself or herself or his or her practice through the
62 use of any specialist title or designation specifically listed
63 under s. 458.3312(2), either alone or in combination, or in
64 connection with other words, unless the practitioner is
65 authorized to use such specialist title or designation under
66 subsection (2).

67 (b) A health care practitioner not licensed as a physician
68 under chapter 459 may not hold himself or herself out to a
69 patient or the public at large as a specialist by describing
70 himself or herself or his or her practice through the use of any
71 specialist title or designation specifically listed under s.
72 459.0152(2), either alone or in combination, or in connection
73 with other words, unless the practitioner is authorized to use
74 such specialist title or designation under subsection (2).

75 (c) A violation of paragraph (a) or paragraph (b)
76 constitutes the unlicensed practice of medicine or osteopathic
77 medicine, as applicable, and the department may pursue remedies
78 under s. 456.065 for such violation.

79 (2) Notwithstanding subsection (1):

80 (a) A licensed health care practitioner may use the name or
81 title of his or her profession which is authorized under his or
82 her practice act, and any corresponding designations or initials
83 so authorized, to describe himself or herself and his or her
84 practice.

85 (b) A licensed health care practitioner who has a specialty
86 area of practice authorized under his or her practice act may
87 use the following format to identify himself or herself or

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88 describe his or her practice: "...(name or title of the
89 practitioner's profession)..., specializing in ...(name of the
90 practitioner's specialty)...."

91 (c) A chiropractic physician licensed under chapter 460 may
92 use the title "chiropractic radiologist" and other titles,
93 abbreviations, or designations authorized under his or her
94 practice act reflecting those chiropractic specialty areas in
95 which the chiropractic physician has attained diplomate status
96 as recognized by the American Chiropractic Association, the
97 International Chiropractors Association, the International
98 Academy of Clinical Neurology, or the International Chiropractic
99 Pediatric Association.

100 (d) A podiatric physician licensed under chapter 461 may
101 use the following titles and abbreviations as applicable to his
102 or her license, specialty, and certification: "podiatric
103 surgeon," "Fellow in the American College of Foot and Ankle
104 Surgeons," and any other titles or abbreviations authorized
105 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 dental
109 surgery," "D.D.S.," "oral surgeon," "maxillofacial surgeon,"
110 "oral and maxillofacial surgeon," "O.M.S.," "dental
111 anesthesiologist," "oral pathologist," "oral radiologist," and
112 any other titles or abbreviations authorized under his or her
113 practice act.

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

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117 abbreviation "C.A.A."

118 (3) This section may not be construed to prohibit or
119 interfere with a licensed practitioner's ability to bill
120 lawfully the Medicare program or other federal health care
121 program using definitions or terminology provided under
122 applicable federal law or regulations for services rendered to a
123 patient enrolled in such program.

124 Section 3. Section 458.3312, Florida Statutes, is amended
125 to read:

126 458.3312 Specialties.—

127 (1) A physician licensed under this chapter may not hold
128 himself or herself out as a board-certified specialist unless
129 the physician has received formal recognition as a specialist
130 from a specialty board of the American Board of Medical
131 Specialties or other recognizing agency that has been approved
132 by the board. However, a physician may indicate the services
133 offered and may state that his or her practice is limited to one
134 or more types of services when this accurately reflects the
135 scope of practice of the physician.

136 (2) Specialist titles and designations that are subject to
137 subsection (1) include:

138 (a) Surgeon.

139 (b) Neurosurgeon.

140 (c) General surgeon.

141 (d) Anesthesiologist.

142 (e) Cardiologist.

143 (f) Dermatologist.

144 (g) Endocrinologist.

145 (h) Gastroenterologist.

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- 146 (i) Gynecologist.
147 (j) Hematologist.
148 (k) Hospitalist.
149 (l) Intensivist.
150 (m) Internist.
151 (n) Laryngologist.
152 (o) Nephrologist.
153 (p) Neurologist.
154 (q) Obstetrician.
155 (r) Oncologist.
156 (s) Ophthalmologist.
157 (t) Orthopedic surgeon.
158 (u) Orthopedist.
159 (v) Otologist.
160 (w) Otolaryngologist.
161 (x) Otorhinolaryngologist.
162 (y) Pathologist.
163 (z) Pediatrician.
164 (aa) Proctologist.
165 (bb) Psychiatrist.
166 (cc) Radiologist.
167 (dd) Rheumatologist.
168 (ee) Rhinologist.
169 (ff) Urologist.
170 (3) The board may adopt by rule additional specialist
171 titles and designations that are subject to subsection (1).

172 Section 4. Section 459.0152, Florida Statutes, is amended
173 to read:

174 459.0152 Specialties.—

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175 (1) An osteopathic physician licensed under this chapter
176 may not hold himself or herself out as a board-certified
177 specialist unless the osteopathic physician has successfully
178 completed the requirements for certification by the American
179 Osteopathic Association or the Accreditation Council on Graduate
180 Medical Education and is certified as a specialist by a
181 certifying agency approved by the board. However, an osteopathic
182 physician may indicate the services offered and may state that
183 his or her practice is limited to one or more types of services
184 when this accurately reflects the scope of practice of the
185 osteopathic physician.

186 (2) Specialist titles and designations that are subject to
187 subsection (1) include:

- 188 (a) Surgeon.
- 189 (b) Neurosurgeon.
- 190 (c) General surgeon.
- 191 (d) Anesthesiologist.
- 192 (e) Cardiologist.
- 193 (f) Dermatologist.
- 194 (g) Endocrinologist.
- 195 (h) Gastroenterologist.
- 196 (i) Gynecologist.
- 197 (j) Hematologist.
- 198 (k) Hospitalist.
- 199 (l) Intensivist.
- 200 (m) Internist.
- 201 (n) Laryngologist.
- 202 (o) Nephrologist.
- 203 (p) Neurologist.

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204 (q) Obstetrician.
205 (r) Oncologist.
206 (s) Ophthalmologist.
207 (t) Orthopedic surgeon.
208 (u) Orthopedist.
209 (v) Otologist.
210 (w) Otolaryngologist.
211 (x) Otorhinolaryngologist.
212 (y) Pathologist.
213 (z) Pediatrician.
214 (aa) Proctologist.
215 (bb) Psychiatrist.
216 (cc) Radiologist.
217 (dd) Rheumatologist.
218 (ee) Rhinologist.
219 (ff) Urologist.
220 (3) The board may adopt by rule additional specialist
221 titles and designations that are subject to subsection (1).
222 Section 5. This act shall take effect July 1, 2025.