

By the Committees on Rules; and Health Policy; and Senators
Burton and Passidomo

595-03120-25

2025172c2

A bill to be entitled

An act relating to health care practitioner specialty titles and designations; amending s. 456.003, F.S.; revising legislative findings; amending s. 456.065, F.S.; providing circumstances under which the Department of Health may issue a notice to cease and desist and pursue other remedies upon finding probable cause; creating s. 456.65, F.S.; prohibiting the use of specified titles and designations by health care practitioners not licensed as physicians or osteopathic physicians, as applicable, with an exception; providing that the use of such titles and designations constitutes the unlicensed practice of medicine or osteopathic medicine, as applicable; authorizing the department to pursue specified remedies for such violations; authorizing health care practitioners to use names and titles, and their corresponding designations and initials, authorized by their respective practice acts; specifying the manner in which health care practitioners may represent their specialty practice areas; specifying titles and abbreviations certain health care practitioners may use; prohibiting health care practitioners not licensed as certified registered nurse anesthetists from using a specified title and abbreviations under certain conditions; providing that the use of such title or abbreviations constitutes the unlicensed practice of nursing; authorizing the department to pursue specified remedies for such violations;

595-03120-25

2025172c2

providing construction; amending ss. 458.3312 and 459.0152, F.S.; specifying specialist titles and designations that physicians and osteopathic physicians, respectively, are prohibited from using unless they have received formal recognition by the appropriate recognizing agency for such specialty certifications; authorizing the Board of Medicine and the Board of Osteopathic Medicine, as applicable, to adopt certain rules; providing an effective date.

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

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 must ~~shall~~ be regulated only for the preservation of the health, safety, and welfare of the public under the police powers of the state, and that the health, safety, and welfare of the public may be harmed or endangered by the unlawful practice of a profession; by a misleading, deceptive, or fraudulent representation relating to a person's authority to practice a profession lawfully; or when patients are uninformed about the profession under which a health care practitioner is practicing before receiving professional consultation or services from the practitioner. As a matter of great public importance, such professions must ~~shall~~ be regulated when:

(a) Their unregulated practice can harm or endanger the health, safety, and welfare of the public, and when the

595-03120-25

2025172c2

59 potential for such harm is recognizable and clearly outweighs
60 any anticompetitive impact which may result from regulation.

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

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

65 Section 2. Paragraph (a) of subsection (2) of section
66 456.065, Florida Statutes, is amended to read:

67 456.065 Unlicensed practice of a health care profession;
68 intent; cease and desist notice; penalties; enforcement;
69 citations; fees; allocation and disposition of moneys
70 collected.—

71 (2) The penalties for unlicensed practice of a health care
72 profession shall include the following:

73 (a) 1. When the department has probable cause to believe
74 that any person not licensed by the department, or the
75 appropriate regulatory board within the department, has violated
76 any provision of this chapter or any statute that relates to the
77 practice of a profession regulated by the department, or any
78 rule adopted pursuant thereto, the department may issue and
79 deliver to such person a notice to cease and desist from such
80 violation.

81 2. When the department has probable cause to believe that
82 any licensed health care practitioner has engaged in the
83 unlicensed practice of a health care profession by violating s.
84 456.65, the department may issue and deliver to such health care
85 practitioner a notice to cease and desist from such violation
86 and may pursue other remedies authorized under this section
87 which apply to the unlicensed practice of a health care

595-03120-25

2025172c2

profession.

3. In addition to the remedies under subparagraphs 1. and 2., the department may issue and deliver a notice to cease and desist to any person who aids and abets the unlicensed practice of a profession by employing the ~~such unlicensed~~ person engaging in the unlicensed practice.

4. The issuance of a notice to cease and desist shall not constitute agency action for which a hearing under ss. 120.569 and 120.57 may be sought. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provisions of such order.

Section 3. Section 456.65, Florida Statutes, is created to read:

456.65 Specialties.—

(1) (a) A health care practitioner not licensed as a physician under chapter 458 may not hold himself or herself out to a patient or the public at large as a specialist by describing himself or herself or his or her practice through the use of any specialist title or designation specifically listed under s. 458.3312(2), either alone or in combination, or in connection with other words, unless the practitioner is authorized to use such specialist title or designation under subsection (3).

(b) A health care practitioner not licensed as a physician under chapter 459 may not hold himself or herself out to a patient or the public at large as a specialist by describing himself or herself or his or her practice through the use of any

595-03120-25

2025172c2

117 specialist title or designation specifically listed under s.
118 459.0152(2), either alone or in combination, or in connection
119 with other words, unless the practitioner is authorized to use
120 such specialist title or designation under subsection (3).

121 (2) A violation of subsection (1) constitutes the
122 unlicensed practice of medicine or osteopathic medicine, as
123 applicable, and the department may pursue remedies under s.
124 456.065 for such violation.

125 (3) Notwithstanding subsection (1):

126 (a) A licensed health care practitioner may use the name or
127 title of his or her profession which is authorized under his or
128 her practice act, and any corresponding designations or initials
129 so authorized, to describe himself or herself and his or her
130 practice.

131 (b) A licensed health care practitioner who has a specialty
132 area of practice authorized under his or her practice act may
133 use the following format to identify himself or herself or
134 describe his or her practice: "... (name or title of the
135 practitioner's profession) ..., specializing in ... (name of the
136 practitioner's specialty)"

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

595-03120-25

2025172c2

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

152 (e) A dentist licensed under chapter 466 may use the
153 following titles and abbreviations as applicable to his or her
154 license, specialty, and certification: "doctor of dental
155 surgery," "D.D.S.," "oral surgeon," "maxillofacial surgeon,"
156 "oral and maxillofacial surgeon," "O.M.S.," "dental
157 anesthesiologist," "oral pathologist," "oral radiologist," and
158 any other titles or abbreviations authorized under his or her
159 practice act.

160 (f) An anesthesiologist assistant licensed under chapter
161 458 or chapter 459 may use the titles "anesthesiologist
162 assistant" or "certified anesthesiologist assistant" and the
163 abbreviations "A.A." or "C.A.A.," as applicable.

164 (g) A physician licensed under chapter 458 or chapter 459
165 may use a specialist title or designation according to s.
166 458.3312 or s. 459.0152, as applicable.

167 (4)(a) A health care practitioner not licensed and
168 certified to practice as a certified registered nurse
169 anesthetist under chapter 464 may not use the term "certified
170 registered nurse anesthetist" or the abbreviations "C.R.N.A.,"
171 "nurse anesthetist," or "anesthetist," either alone or in
172 combination with titles or abbreviations authorized under
173 paragraph (3)(f), to describe himself or herself or his or her
174 practice to a patient or the public at large.

595-03120-25

2025172c2

175 (b) A violation of paragraph (a) constitutes the unlicensed
176 practice of nursing, and the department may pursue remedies
177 under s. 456.065 for such violation.

178 (5) This section may not be construed to prohibit or
179 interfere with the ability of a health care practitioner, group
180 practice as defined in s. 456.053, or health care provider as
181 defined in s. 381.4015 to lawfully bill the Medicare program or
182 other federal health care program using definitions or
183 terminology provided under applicable federal law or regulations
184 for services rendered to a patient enrolled in such program.

185 Section 4. Section 458.3312, Florida Statutes, is amended
186 to read:

187 458.3312 Specialties.—

188 (1) A physician licensed under this chapter may not hold
189 himself or herself out as a board-certified specialist unless
190 the physician has received formal recognition as a specialist
191 from a specialty board of the American Board of Medical
192 Specialties or other recognizing agency that has been approved
193 by the board. However, a physician may indicate the services
194 offered and may state that his or her practice is limited to one
195 or more types of services when this accurately reflects the
196 scope of practice of the physician.

197 (2) Specialist titles and designations to which subsection
198 (1) applies include:

199 (a) Surgeon.

200 (b) Neurosurgeon.

201 (c) General surgeon.

202 (d) Plastic surgeon.

203 (e) Thoracic surgeon.

595-03120-25

2025172c2

204 (f) Allergist.
205 (g) Anesthesiologist.
206 (h) Cardiologist.
207 (i) Dermatologist.
208 (j) Endocrinologist.
209 (k) Gastroenterologist.
210 (l) Geriatrician.
211 (m) Gynecologist.
212 (n) Hematologist.
213 (o) Hospitalist.
214 (p) Immunologist.
215 (q) Intensivist.
216 (r) Internist.
217 (s) Laryngologist.
218 (t) Nephrologist.
219 (u) Neurologist.
220 (v) Neurotologist.
221 (w) Obstetrician.
222 (x) Oncologist.
223 (y) Ophthalmologist.
224 (z) Orthopedic surgeon.
225 (aa) Orthopedist.
226 (bb) Otologist.
227 (cc) Otolaryngologist.
228 (dd) Otorhinolaryngologist.
229 (ee) Pathologist.
230 (ff) Pediatrician.
231 (gg) Proctologist.
232 (hh) Psychiatrist.

595-03120-25

2025172c2

(ii) Pulmonologist.

(jj) Radiologist.

(kk) Rheumatologist.

(ll) Rhinologist.

(mm) Urologist.

(3) The board may adopt by rule additional specialist titles and designations to which subsection (1) applies.

Section 5. Section 459.0152, Florida Statutes, is amended to read:

459.0152 Specialties.—

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

(2) Specialist titles and designations to which subsection (1) applies include:

(a) Surgeon.

(b) Neurosurgeon.

(c) General surgeon.

(d) Plastic surgeon.

(e) Thoracic surgeon.

(f) Allergist.

595-03120-25

2025172c2

262 (g) Anesthesiologist.
263 (h) Cardiologist.
264 (i) Dermatologist.
265 (j) Endocrinologist.
266 (k) Gastroenterologist.
267 (l) Geriatrician.
268 (m) Gynecologist.
269 (n) Hematologist.
270 (o) Hospitalist.
271 (p) Immunologist.
272 (q) Intensivist.
273 (r) Internist.
274 (s) Laryngologist.
275 (t) Nephrologist.
276 (u) Neurologist.
277 (v) Neurotologist.
278 (w) Obstetrician.
279 (x) Oncologist.
280 (y) Ophthalmologist.
281 (z) Orthopedic surgeon.
282 (aa) Orthopedist.
283 (bb) Otologist.
284 (cc) Otolaryngologist.
285 (dd) Otorhinolaryngologist.
286 (ee) Pathologist.
287 (ff) Pediatrician.
288 (gg) Proctologist.
289 (hh) Psychiatrist.
290 (ii) Pulmonologist.

595-03120-25

2025172c2

291 (jj) Radiologist.
292 (kk) Rheumatologist.
293 (ll) Rhinologist.
294 (mm) Urologist.
295 (3) The board may adopt by rule additional specialist
296 titles and designations to which subsection (1) applies.
297 Section 6. This act shall take effect July 1, 2025.