

By Senator Burton

12-01198B-26

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A bill to be entitled

An act relating to temporary certificates for practice in areas of critical need; amending ss. 458.315, 459.0076, and 464.0121, F.S.; authorizing certain health care practitioners practicing under a temporary certificate to practice in areas of critical need to continue to practice after such areas lose such designation if certain conditions are met; providing an effective date.

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

Section 1. Paragraph (c) of subsection (3) of section 458.315, Florida Statutes, is amended to read:

458.315 Temporary certificate for practice in areas of critical need.—

(3) The board may issue a temporary certificate under this section subject to the following restrictions:

(c) 1. Any certificate issued under this section is valid only so long as one of the following conditions applies:

a. The State Surgeon General determines that the reason for which it was issued remains a critical need to the state.

b. The certificateholder has an active primary care treatment relationship, established no later than January 1, 2026, with one or more patients in an area that was determined to be an area of critical need under paragraph (a) when the certificate was issued but that subsequently lost such designation. In such case, at the discretion of the board, a certificateholder may continue treating such patients in that

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30 area under the certificate if all other requirements of this
31 section are satisfied.

32 2. The board shall review each temporary certificateholder
33 at least annually to ascertain that the certificateholder is
34 complying with the minimum requirements of the Medical Practice
35 Act and its adopted rules, as applicable to the
36 certificateholder. If it is determined that the
37 certificateholder is not meeting such minimum requirements, the
38 board must revoke such certificate or impose restrictions or
39 conditions, or both, as a condition of continued practice under
40 the certificate.

41 Section 2. Paragraph (c) of subsection (3) of section
42 459.0076, Florida Statutes, is amended to read:

43 459.0076 Temporary certificate for practice in areas of
44 critical need.—

45 (3) The board may issue this temporary certificate subject
46 to the following restrictions:

47 (c)1. Any certificate issued under this section is valid
48 only so long as one of the following conditions applies:

49 a. The State Surgeon General determines that the reason for
50 which it was issued remains a critical need to the state.

51 b. The certificateholder has an active primary care
52 treatment relationship, established no later than January 1,
53 2026, with one or more patients in an area that was determined
54 to be an area of critical need under paragraph (a) when the
55 certificate was issued but that subsequently lost such
56 designation. In such case, at the discretion of the board, a
57 certificateholder may continue treating such patients in that
58 area under the certificate if all other requirements of this

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59 section are satisfied.

60 2. The board shall review each temporary certificateholder
61 at least annually to ascertain that the certificateholder is
62 complying with the minimum requirements of the Osteopathic
63 Medical Practice Act and its adopted rules, as applicable to the
64 certificateholder. If it is determined that the
65 certificateholder is not meeting such minimum requirements, the
66 board must revoke such certificate or impose restrictions or
67 conditions, or both, as a condition of continued practice under
68 the certificate.

69 Section 3. Paragraph (c) of subsection (3) of section
70 464.0121, Florida Statutes, is amended to read:

71 464.0121 Temporary certificate for practice in areas of
72 critical need.—

73 (3) The board may issue a temporary certificate under this
74 section subject to the following restrictions:

75 (c)1. Any certificate issued under this section is valid
76 only so long as one of the following conditions applies:

77 a. The State Surgeon General maintains the determination
78 that the critical need that supported the issuance of the
79 temporary certificate remains a critical need to the state.

80 b. The certificateholder has an active primary care
81 treatment relationship, established no later than January 1,
82 2026, with one or more patients in an area that was determined
83 to be an area of critical need under paragraph (a) when the
84 certificate was issued but that subsequently lost such
85 designation. In such case, at the discretion of the board, a
86 certificateholder may continue treating such patients in that
87 area under the certificate if all other requirements of this

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88 section are satisfied.89 2. The board shall review each temporary certificateholder
90 at least annually to ascertain that the certificateholder is
91 complying with the minimum requirements of the Nurse Practice
92 Act and its adopted rules, as applicable to the
93 certificateholder. If it is determined that the
94 certificateholder is not meeting such minimum requirements, the
95 board must revoke such certificate or impose restrictions or
96 conditions, or both, as a condition of continued practice under
97 the certificate.

98 Section 4. This act shall take effect upon becoming a law.