

By the Committee on Health Policy; and Senator Burton

588-02204-26

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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.; revising the conditions  
under which the Board of Medicine, the Board of  
Osteopathic Medicine, and the Board of Nursing,  
respectively, are authorized to issue temporary  
certificates for practice in areas of critical need;  
authorizing certificateholders to continue primary  
care services after such areas lose their critical  
need designation under certain circumstances;  
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 certificate was issued for practice in an area of  
critical need that has since lost its designation and the  
certificateholder maintains an active primary care treatment  
relationship in the area with one or more patients. In such

588-02204-26

20261480c1

30 case, the certificateholder may continue providing primary care  
31 services to patients in such area under the certificate if the  
32 board finds that all other requirements are satisfied during its  
33 review of the certificateholder.

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

43 Section 2. Paragraph (c) of subsection (3) of section  
44 459.0076, Florida Statutes, is amended to read:

45 459.0076 Temporary certificate for practice in areas of  
46 critical need.—

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

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

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

53 b. The certificate was issued for practice in an area of  
54 critical need that has since lost its designation and the  
55 certificateholder maintains an active primary care treatment  
56 relationship in the area with one or more patients. In such  
57 case, the certificateholder may continue providing primary care  
58 services to patients in such area under the certificate if the

588-02204-26

20261480c1

board finds that all other requirements are satisfied during its review of the certificateholder.

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

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

464.0121 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 maintains the determination that the critical need that supported the issuance of the temporary certificate remains a critical need to the state.

b. The certificate was issued for practice in an area of critical need that has since lost its designation and the certificateholder maintains an active primary care treatment relationship in the area with one or more patients. In such case, the certificateholder may continue providing primary care services to patients in such area under the certificate if the board finds that all other requirements are satisfied during its

588-02204-26

20261480c1

88 review of the certificateholder.

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.