

By the Committee on Health Policy; and Senator Burton

588-02204-26

20261480c1

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

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

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

70 Section 3. Paragraph (c) of subsection (3) of section
71 464.0121, Florida Statutes, is amended to read:

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

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

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

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

81 b. The certificate was issued for practice in an area of
82 critical need that has since lost its designation and the
83 certificateholder maintains an active primary care treatment
84 relationship in the area with one or more patients. In such
85 case, the certificateholder may continue providing primary care
86 services to patients in such area under the certificate if the
87 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.