

# FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

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| <b>BILL #:</b> <a href="#">CS/HB 809</a><br><b>TITLE:</b> Temporary Certificates for Practice in Areas of Critical Need<br><b>SPONSOR(S):</b> Benarroch and López, J. | <b>COMPANION BILL:</b> None<br><b>LINKED BILLS:</b> None<br><b>RELATED BILLS:</b> <a href="#">CS/SB 1480</a> (Burton) |
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**FINAL HOUSE FLOOR ACTION:** 110 Y's 0 N's      **GOVERNOR'S ACTION:** Approved

## SUMMARY

### Effect of the Bill:

CS/HB 809 authorizes a health care practitioner who holds a temporary certificate for practice in an area of critical need to continue providing primary care services in an area that has lost its critical need designation, if the certificate-holder maintains active primary care treatment of at least one patient and the applicable board determines that the certificate-holder meets all other requirements.

### Fiscal or Economic Impact:

None

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## ANALYSIS

### EFFECT OF THE BILL:

#### Temporary Certificates for Practice in Areas of Critical Need

The bill authorizes a health care practitioner who holds a [temporary certificate](#) for practice in an [area of critical need](#) to continue providing primary care services in an area that has lost its critical need designation. To qualify, the certificate-holder must maintain active primary care treatment of at least one patient and the applicable board must determine that the certificate-holder meets all other requirements. This applies to all practitioners authorized to obtain temporary certificates, which are allopathic physicians and physician assistants (licensed under Ch. 458, F.S.), osteopathic physician and physician assistants (licensed under Ch. 459, F.S.), and advanced practice registered nurses (APRNs) (licensed under Ch. 464, F.S.). This will allow for continuity of care for primary care patients in these areas. (Sections [1](#), [2](#), and [3](#))

The bill was approved by the Governor on May 22 2026, ch. 2026-108, L.O.F., and became effective on that date.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Health Care Professional Shortage Areas (HPSAs)

The federal Health Resources and Services Administration (HRSA) designates health care shortage areas in the U.S. The two main types of health care shortage areas designated by the HRSA are Health Profession Shortage Areas (HPSAs) and Medically Underserved Areas.

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There are three categories of HPSA: primary care, dental health, and mental health.<sup>1</sup> HPSAs can be designated as geographic areas; areas with a specific group of people such as low-income populations, homeless populations, and migrant farmworker populations; or as a specific facility that serves a population or geographic area with a shortage of providers.<sup>2</sup> HRSA designates a HPSA when an area, population group, or facility meets federal criteria that focus on provider availability and access, including minimum population-to-provider ratio requirements and access measures such as travel time to the nearest source of care.<sup>3</sup>

### HPSA Scoring and Designations

Each HPSA is given a score by the HRSA indicating the severity of the shortage in that area, population, or facility. The scores for primary care and mental health HPSAs can be between 0 and 25 and between 0 and 26 for dental health HPSAs, with a higher score indicating a more severe shortage.<sup>4</sup>

HRSA regularly rechecks HPSA designations to confirm that an area, population group, or facility still meets the shortage criteria. If updated data suggest an area, group, or facility may no longer qualify, HRSA can label it “Proposed for Withdrawal,” which is an early warning that it could lose its HPSA status, but it is not final.<sup>5</sup> During this period, the designation is generally still active and counted, while state and local partners have an opportunity to review the data and submit updates or corrections. If HRSA later issues a final withdrawal, the designation is removed, and programs or benefits that rely on an active HPSA may no longer apply. New areas, population groups, or facilities can be proposed for designation when a State Primary Care Office submits an application in HRSA’s online system.<sup>6</sup>

HRSA reviews the application and, if it meets the criteria, HRSA approves the designation, calculates a score, and notifies the Primary Care Office and any identified interested parties.<sup>7</sup> Florida’s Primary Care Office is the Health Resources and Access Section within the Division of Public Health Statistics and Performance Improvement at the Florida Department of Health (DOH).<sup>8</sup>

### Florida HPSA Data

As of January 1, 2026, Florida would require an additional 1,434 primary care practitioners, 1,271 dental practitioners, and 545 mental health practitioners to eliminate Florida’s HPSA shortages.<sup>9</sup> These practitioner shortages create HPSAs throughout the state which can be broken down further by geographic area, population group and facility designation as follows.

<sup>1</sup> Health Professional Shortage Areas (HPSAs) and Your Site, National Health Service Corps, available at <https://bhwh.hrsa.gov/sites/default/files/bureau-health-workforce/workforce-shortage-areas/nhsc-hpsas-practice-sites.pdf>, (last visited March 13, 2026).

<sup>2</sup> What is a Shortage Designation?, HRSA, available at <https://bhwh.hrsa.gov/workforce-shortage-areas/shortage-designation#hpsas>, (last visited March 13, 2026).

<sup>3</sup> Health Resources and Services Administration, Bureau of Health Workforce, 2025 National Shortage Designation Update (NSDU): Introducing New Data to Existing HPSAs (May 29, 2025), <https://bhwh.hrsa.gov/sites/default/files/bureau-health-workforce/2025-nsdu-may-29-webinar-slides.pdf> (last visited March 13, 2026).

<sup>4</sup> HRSA, Scoring Shortage Designations, available at <https://bhwh.hrsa.gov/workforce-shortage-areas/shortage-designation/scoring>, (last visited March 13, 2026).

<sup>5</sup> Health Resources and Services Administration, Federal Register Notice (listing designated HPSAs reflecting Federal Register notice published Nov. 5, 2024; status as of Oct. 15, 2024), <https://data.hrsa.gov/topics/health-workforce/shortage-areas/frn> (last visited March 13, 2026).

<sup>6</sup> Health Resources and Services Administration, Bureau of Health Workforce, Reviewing Shortage Designation Applications (last reviewed Jan. 2025), <https://bhwh.hrsa.gov/workforce-shortage-areas/shortage-designation/reviewing-applications> (last visited March 13, 2026).

<sup>7</sup> *Id.*

<sup>8</sup> Health Resources and Services Administration, Bureau of Health Workforce, Contact Your State/Territorial Primary Care Office, <https://bhwh.hrsa.gov/workforce-shortage-areas/shortage-designation/contact-state-primary-care-office> (last visited March 13, 2026).

<sup>9</sup> Bureau of Health Workforce, HRSA, U.S. Department of Health and Human Services, Designated Health Professional Shortage Areas Statistics, First Quarter of Fiscal Year 2026 (December 31, 2025), available at <https://data.hrsa.gov/default/generatehpsaquarterlyreport> (last visited March 13, 2026).

- Of the *primary care* HPSAs in Florida (320 total), 23 are geographic area designations, 134 are population group designations, and 163 are facility designations.<sup>10</sup>
- Of the *dental health* HPSAs in Florida (283 total), 6 are geographic area designations, 111 are population group designations, and 166 are facility designations.<sup>11</sup>
- Of the *mental health* HPSAs in Florida (239 total), 31 are geographic area designations, 42 are population group designations, and 166 are facility designations.<sup>12</sup>

## Areas of Critical Need and Temporary Certificates

### Areas of Critical Need

Florida law requires the State Surgeon General to determine areas of critical need in which temporary certificate-holders may practice which must include, but are not limited to, federally designated HPSAs.<sup>13</sup> In 2022, Florida's Surgeon General issued an order<sup>14</sup> determining the following areas as areas of critical need:

- Primary care HPSAs;<sup>15</sup>
- Mental health HPSAs;<sup>16</sup>
- Volunteer Health Care Provider Program participants;<sup>17</sup> and
- Free clinics.

The Surgeon General also designated three specific institutions not located in a HPSA as areas of critical need. Under the order, they will continue to operate as areas of critical need for as long as they continue to provide health care to meet the needs of the underserved population in its area. Those facilities are:<sup>18</sup>

- Crossroads, 444 Valparaiso Parkway, Building C, Valparaiso, Florida 32580.
- Med Express Urgent Care, 13856 North Dale Mabry, Tampa, Florida 33618.
- Interamerican Medical Center Group, 15529 Bull Run Road, Miami Lakes, Florida 33014.

An area of critical need may lose its designation either by action of the State Surgeon General or if it no longer qualifies under the Surgeon General's criteria by losing its primary care or mental health HPSA designation.

### Temporary Certificates to Practice in Areas of Critical Need

Florida law authorizes the Board of Medicine, the Board of Osteopathic Medicine, and the Board of Nursing to issue temporary certificates to practice in areas of critical need for health care practitioners not licensed in Florida. Section [458.315, F.S.](#) (allopathic physicians and physician assistants), [s. 459.0076, F.S.](#) (osteopathic physicians and physician assistants), and [s. 464.0121, F.S.](#) (APRNs), are structured similarly and contain parallel eligibility criteria, practice settings, and oversight requirements, as detailed below.

An allopathic physician, osteopathic physician, or APRN with a valid license to practice in any jurisdiction of the U.S.<sup>19</sup> may obtain a temporary certificate to practice in areas of critical need. An APRN must also meet educational

<sup>10</sup> *Id* at 5.

<sup>11</sup> *Id* at 8.

<sup>12</sup> *Id* at 11.

<sup>13</sup> [s. 458.315\(3\), F.S.](#), [s. 459.076\(3\), F.S.](#), and [s. 464.0121\(3\), F.S.](#)

<sup>14</sup> Florida Department of Health, Office of the State Surgeon General, Order of the State Surgeon General Determining Areas of Critical Need (Aug. 10, 2022), available at <https://flboardofmedicine.gov/pdfs/ssg-order.pdf> (last visited March 13, 2026).

<sup>15</sup> Health Resources and Services Administration, Find Shortage Areas by Address (Health Workforce Shortage Areas), <https://data.hrsa.gov/topics/health-workforce/shortage-areas/by-address> (last visited March 13, 2026).

<sup>16</sup> *Id.*

<sup>17</sup> Florida Department of Health, Volunteer Health Care Provider Program: Provider Program (describing the Volunteer Health Care Provider Program and participation requirements), <https://www.floridahealth.gov/licensing-regulations/providerpartner-resources/volunteer-health-services/provider-program/> (last visited March 13, 2026).

<sup>18</sup> *Supra* note 5.

and training requirements established by the Board of Nursing. A physician seeking the temporary certificate must pay an application fee of \$300. A physician assistant must hold a valid license in any state of the U.S. or the District of Columbia, rather than any U.S. jurisdiction, to obtain a temporary certificate.

Each board is authorized to administer an abbreviated oral examination to determine competency and may not require a written regular exam. Within 60 days after receipt of an application, the board must: issue the temporary certificate; notify the applicant of denial; or notify the applicant that the board recommends additional assessment, training, education, or other requirements as a condition of certification. The board may deny the application, issue the temporary certificate with reasonable restrictions, or require the applicant to meet any reasonable conditions if it has been more than three years since the applicant has actively practiced and the respective board determines the applicant lacks clinical competency, adequate skills, necessary medical knowledge, or sufficient clinical decision-making.

The boards must review the temporary certificate-holder at least annually to ensure that he or she is in compliance with the practice act and rules adopted thereunder. A board may revoke or restrict the temporary certificate for practice in areas of critical need if noncompliance is found.

Temporary certificate-holders are subject to ongoing oversight, including compliance with professional standards, annual review, and potential supervision, restriction, or revocation for noncompliance.

Temporary certificates remain valid only while the State Surgeon General determines that a critical need exists.<sup>20</sup> Additionally, the State Surgeon General can maintain a critical need designation even if HRSA determines an area no longer meets the criteria for designation as a HPSA: the 2022 State Surgeon General order<sup>21</sup> authorizes certificate-holders practicing in such an area to continue practicing under the certificate until the next annual renewal review. Once this timeframe expires the certificate-holder will no longer be able to provide care to patients in that area under a temporary certificate. However, the Department of Health (DOH) is not aware of any instances wherein a temporary certificate-holder lost their license due to an area losing its HPSA designation.<sup>22</sup>

### *Temporary Certificate-Holder Data*

Temporary certificate-holders represent a relatively small population within Florida's health workforce, as follows:<sup>23</sup>

- 1,253 allopathic medicine temporary certificates in total (1,130 active, 93 delinquent, 27 retired, and 3 inactive).
- 60 physician assistant temporary certificates (all active).
- 2 osteopathic medicine temporary certificates (all active).
- 2 APRN temporary certificates (all active).

<sup>19</sup> Any jurisdiction of the U.S. includes the 50 states and the five populated U.S. territories (American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands). United States Congress, Federal Statistical Data for U.S. Territories: Issues and Resources (Jan. 30, 2026), available at <https://www.congress.gov/crs-product/R48522> (last visited March 13, 2026).

<sup>20</sup> [s. 458.315\(3\), F.S.](#), [s. 459.076\(3\), F.S.](#), and [s. 464.0121\(3\), F.S.](#)

<sup>21</sup> *Id* at 14.

<sup>22</sup> Correspondence from the Department of Health, dated 2/17/26, on file with the Health Professions and Programs Subcommittee.

<sup>23</sup> Florida Department of Health, 2024-2025 Medical Quality Assurance Annual Report, available at <https://www.floridahealth.gov/wp-content/uploads/2026/01/2025.10.31.FY24-25MQAAR-FINAL1-1.pdf> (last visited March 13, 2026).