



**Conference Committee on
Health & Human Services Appropriations/
Health Care Appropriations**

Senate Offer #1

New Conforming Bill Language

Thursday, April 22, 2010

8:30 a. m.

212 Knott Building (Webster Hall)



SB 1464

3.29.10

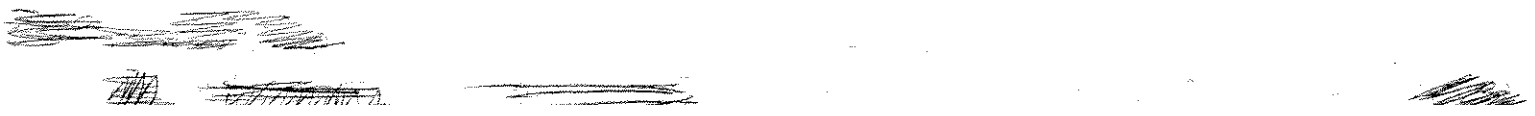
The Agency for Health Care Administration is authorized to implement Medicaid expansion provisions up to 133% of the federal poverty level of Public Law 118-148 and HR 4872 in advance of the effective date of 2014 under the following conditions:

(a) All state matching funds required for the eligibility expansions shall be provided from qualified local tax funding sources. No state General Revenue shall be used for the implementation prior to the effective date of 2014.

(b) Entities eligible to submit expansion applications shall include counties, cities, hospitals licensed under Chapter 395, and special taxing districts. Entities may submit joint or individual applications.

Pilot Program for Medicaid Expansions

2



2

Pilot Program for Medicaid Expansions

The Agency for Health Care Administration is authorized to implement Medicaid expansion provisions up to 133% of the federal poverty level as authorized in Public Law 111-148 and Public Law 111-152 in advance of the effective date of 2014 under the following conditions:

- (a) All state matching funds required for the eligibility expansions shall be provided from qualified local tax funding sources. No state General Revenue shall be used for the implementation prior to the effective date of 2014.
- (b) Entities eligible to submit expansion applications shall include counties, cities, hospitals licensed under Chapter 395, and special taxing districts. Entities may submit joint or individual applications.

SB 1464

HB 5311

SB 2700: Line Item 583 – Special Category Contracted Services
HB 5001: Line Item 583 – Special Category Contracted Services

John Soren
John Soren

The Florida Department of Veterans' Affairs Nursing Homes Program may utilize retired military physicians who hold a temporary certificate for practice in areas of critical need pursuant to section 458.315 or 459.0076, F.S.

**Physician Workforce Retired Military
Proposed Proviso Language**

1B.115

W

Forces for at least 10 years and received an honorable discharge

(b) Has served as a physician in the United States Armed

or

United States and ~~other state~~, whose license is currently valid?

(a) Is licensed to practice in any jurisdiction in the

(1) Any physician who:

critical need.--

458.315 Temporary certificate for practice in areas of

to read:

Section XXX. Section 458.315, Florida Statutes, is amended

insert:

Between lines XXXX and XXXX

Senate Amendment (with title amendment)

Proposed Amendment to conforming bill/Physician Workforce-
Retired Military (Peadar) recommended the following:

- .
- .
- .
- .
- .
- .
- .

House

Senate

LEGISLATIVE ACTION

14
13
12
11
10
9
8
7
6
5
4
3
2
1

from the military;

17 and who pays an application fee of \$300 may be issued a
18 temporary certificate for practice in areas of ~~communities of~~
19 Florida where there is a critical need for physicians.

20 (2) A certificate may be issued to a physician who:

21 (a) Practices in an area of critical need;

22 (b) Will be employed by or practice in a county health

23 department, correctional facility, Department of Veterans'

24 Affairs clinic, community health center funded by s. 329, s.

25 330, or s. 340 of the United States Public Health Services Act,

26 or other agency or institution that is approved by the state

27 Surgeon General and provides health care to meet the needs of

28 underserved populations in this state; or

29 (c) Will practice for a limited time to address critical

30 physician-specialty, demographic, or geographic needs for this

31 state's physician workforce as determined by the State Surgeon

32 General entity that provides health care to indigents and that

33 is approved by the State Health Officer.

34 (3) The Board of Medicine may issue this temporary

35 certificate with the following restrictions:

36 (a)(1) The State Surgeon General board shall determine the

37 areas of critical need, and the physician so certified may

38 practice in any of those areas for a time to be determined by

39 the board. Such areas shall include, but are not be limited to,

40 health professional shortage areas designated by the United

41 States Department of Health and Human Services.

42 1.(a) A recipient of a temporary certificate for practice

43 in areas of critical need may use the certificate license to

44 work for any approved entity ~~employer~~ in any area of critical

45 need or as authorized by the State Surgeon General approved by

46 the board.

47 2.(b) The recipient of a temporary certificate for practice
48 in areas of critical need shall, within 30 days after accepting
49 employment, notify the board of all approved institutions in
50 which the licensee practices and of all approved institutions
51 where practice privileges have been denied.

52 (b)(2) The board may administer an abbreviated oral
53 examination to determine the physician's competency, but a ~~no~~
54 written regular examination is not required ~~necessary~~. Within 60
55 days after receipt of an application for a temporary
56 certificate, the board shall review the application and issue
57 the temporary certificate, ~~or~~ notify the applicant of denial, or
58 notify the applicant that the board recommends additional
59 assessment, training, education, or other requirements as a
60 condition of certification. If the applicant has not actively
61 practiced during the prior 3 years and the board determines that
62 the applicant may lack clinical competency, possess diminished
63 or inadequate skills, lack necessary medical knowledge, or
64 exhibit patterns of deficits in clinical decisionmaking, the
65 board may:

66 1. Deny the application;
67 2. Issue a temporary certificate having reasonable
68 restrictions that may include, but are not limited to, a
69 requirement for the applicant to practice under the supervision
70 of a physician approved by the board; or
71 3. Issue a temporary certificate upon receipt of
72 documentation confirming that the applicant has met any
73 reasonable conditions of the board which may include, but are
74 not limited to, completing continuing education or undergoing an
75 assessment of skills and training.

76 (c)(3) Any certificate issued under this section ~~is shall~~

77 be valid only so long as the State Surgeon General determines
78 that the reason area for which it was issued remains a an
79 area of critical need to the state. The Board of Medicine shall
80 review each temporary certificateholder not the service within
81 said area not less than annually to ascertain that the minimum
82 requirements of the Medical Practice Act and its adopted the
83 rules and regulations promulgated thereunder are being complied
84 with. If it is determined that such minimum requirements are not
85 being met, the board shall forthwith revoke such certificate or
86 shall impose restrictions or conditions, or both, as a condition
87 of continued practice under the certificate.

88 (d)(4) The board may shall not issue a temporary
89 certificate for practice in an area of critical need to any
90 physician who is under investigation in any jurisdiction in the
91 United States another state for an act that which would
92 constitute a violation of this chapter until such time as the
93 investigation is complete, at which time the provisions of s.
94 458.331 shall apply.

95 (4)(5) The application fee and all licensure fees,
96 including neurological injury compensation assessments, shall be
97 waived for those persons obtaining a temporary certificate to
98 practice in areas of critical need for the purpose of providing
99 volunteer, uncompensated care for low-income residents
100 ~~Florida~~. The applicant must submit an affidavit from the
101 employing agency or institution stating that the physician will
102 not receive any compensation for any service involving the
103 practice of medicine.

104 Section XXX. Section 459.0076, Florida Statutes, is created
105 to read:
106 459.0076 Temporary certificate for practice in areas of
107 critical need.

108 (1) Any physician who:
109 (a) Is licensed to practice in any jurisdiction in the
110 United States and whose license is currently valid; or
111 (b) Has served as a physician in the United States Armed
112 Forces for at least 10 years and received an honorable discharge
113 from the military;
114
115 and who pays an application fee of \$300 may be issued a
116 temporary certificate for practice in areas of critical need.
117 (2) A certificate may be issued to a physician who:
118 (a) Will practice in an area of critical need;
119 (b) Will be employed by or practice in a county health
120 department, correctional facility, Department of Veterans'
121 Affairs clinic, community health center funded by s. 329, s.
122 330, or s. 340 of the United States Public Health Services Act,
123 or other agency or institution that is approved by the State
124 Surgeon General and provides health care to meet the needs of
125 underserved populations in this state; or
126 (c) Will practice for a limited time to address critical
127 physician-specialty, demographic, or geographic needs for this
128 state's physician workforce as determined by the State Surgeon
129 General.
130 (3) The Board of Osteopathic Medicine may issue this
131 temporary certificate with the following restrictions:
132 (a) The State Surgeon General shall determine the areas of
133 critical need. Such areas include, but are not limited to,
134 health professional shortage areas designated by the United
135 States Department of Health and Human Services.
136 1. A recipient of a temporary certificate for practice in
137 areas of critical need may use the certificate to work for any
138 approved entity in any area of critical need or as authorized by

139 the State Surgeon General.

140 2. The recipient of a temporary certificate for practice in

141 areas of critical need shall, within 30 days after accepting

142 employment, notify the board of all approved institutions in

143 which the licensee practices and of all approved institutions

144 where practice privileges have been denied.

145 (b) The board may administer an abbreviated oral

146 examination to determine the physician's competency, but a

147 written regular examination is not required. Within 60 days

148 after receipt of an application for a temporary certificate, the

149 board shall review the application and issue the temporary

150 certificate, notify the applicant of denial, or notify the

151 applicant that the board recommends additional assessment,

152 training, education, or other requirements as a condition of

153 certification. If the applicant has not actively practiced

154 during the prior 3 years and the board determines that the

155 applicant may lack clinical competency, possess diminished or

156 inadequate skills, lack necessary medical knowledge, or exhibit

157 patterns of deficits in clinical decisionmaking, the board may:

158 1. Deny the application;

159 2. Issue a temporary certificate having reasonable

160 restrictions that may include, but are not limited to, a

161 requirement for the applicant to practice under the supervision

162 of a physician approved by the board; or

163 3. Issue a temporary certificate upon receipt of

164 documentation confirming that the applicant has met any

165 reasonable conditions of the board which may include, but are

166 not limited to, completing continuing education or undergoing an

167 assessment of skills and training.

168 (c) Any certificate issued under this section is valid only

169 so long as the State Surgeon General determines that the reason

170 for which it was issued remains a critical need to the state.
 171 The Board of Osteopathic Medicine shall review each temporary
 172 certificateholder not less than annually to ascertain that the
 173 minimum requirements of the Osteopathic Medical Practice Act and
 174 its adopted rules are being complied with. If it is determined
 175 that such minimum requirements are not being met, the board
 176 shall revoke such certificate or shall impose restrictions or
 177 conditions, or both, as a condition of continued practice under
 178 the certificate.
 179 (d) The board may not issue a temporary certificate for
 180 practice in an area of critical need to any physician who is
 181 under investigation in any jurisdiction in the United States for
 182 an act that would constitute a violation of this chapter until
 183 such time as the investigation is complete, at which time the
 184 provisions of s. 459.015 apply.
 185 (4) The application fee and all licensure fees, including
 186 neurological injury compensation assessments, shall be waived
 187 for those persons obtaining a temporary certificate to practice
 188 in areas of critical need for the purpose of providing
 189 volunteer, uncompensated care for low-income residents. The
 190 applicant must submit an affidavit from the employing agency or
 191 institution stating that the physician will not receive any
 192 compensation for any service involving the practice of medicine.
 193
 194
 195