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CS/CS/HB 209, Engrossed 1

2017 Legislature

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2 An act relating to medical faculty and medical
3 assistant certification; amending s. 456.013, F.S.;
4 requiring the Department of Health to process certain
5 applications for a temporary certificate using a
6 personal identification number in lieu of a social
7 security number under specified circumstances;
8 amending s. 458.3137, F.S.; revising the circumstances
9 under which a visiting physician may be issued a
10 temporary certificate to obtain limited medical
11 privileges for instructional purposes; amending s.
12 458.3145, F.S.; revising the list of schools at which
13 certain faculty members are eligible to receive a
14 medical faculty certificate; authorizing a
15 certificateholder to practice at certain specialty-
16 licensed children's hospitals; revising provisions to
17 allow the medical director of certain specialty-
18 licensed children's hospitals to request the provision
19 of medical care and treatment in connection with
20 education; amending s. 458.3485, F.S.; providing a
21 requirement to earn a certified medical assistant
22 credential; amending s. 483.291, F.S.; revising
23 qualifications for employment as a medical assistant
24 in a multiphasic health testing center; providing an
25 effective date.

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

Section 1. Subsection (1) of section 456.013, Florida Statutes, is amended to read:

456.013 Department; general licensing provisions.—

(1)(a) Any person desiring to be licensed in a profession within the jurisdiction of the department shall apply to the department in writing to take the licensure examination. The application shall be made on a form prepared and furnished by the department. The application form must be available on the World Wide Web and the department may accept electronically submitted applications beginning July 1, 2001. The application shall require the social security number of the applicant, except as provided in paragraphs ~~paragraph~~ (b) and (c). The form shall be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department. If an application is submitted electronically, the department may require supplemental materials, including an original signature of the applicant and verification of credentials, to be submitted in a nonelectronic format. An incomplete application shall expire 1 year after initial filing. In order to further the economic development

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51 | goals of the state, and notwithstanding any law to the contrary,
52 | the department may enter into an agreement with the county tax
53 | collector for the purpose of appointing the county tax collector
54 | as the department's agent to accept applications for licenses
55 | and applications for renewals of licenses. The agreement must
56 | specify the time within which the tax collector must forward any
57 | applications and accompanying application fees to the
58 | department.

59 | (b) If an applicant has not been issued a social security
60 | number by the Federal Government at the time of application
61 | because the applicant is not a citizen or resident of this
62 | country, the department may process the application using a
63 | unique personal identification number. If such an applicant is
64 | otherwise eligible for licensure, the board, or the department
65 | when there is no board, may issue a temporary license to the
66 | applicant, which shall expire 30 days after issuance unless a
67 | social security number is obtained and submitted in writing to
68 | the department. Upon receipt of the applicant's social security
69 | number, the department shall issue a new license, which shall
70 | expire at the end of the current biennium.

71 | (c) Notwithstanding any other provision of law, if an
72 | applicant for a temporary certificate as set forth in s.
73 | 458.3137 has not been issued a social security number by the
74 | Federal Government at the time of application because the
75 | applicant is not a citizen or resident of this country, the

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76 | department shall process the application using a unique personal
 77 | identification number. If such applicant is otherwise eligible
 78 | for the temporary certificate, the board, or the department when
 79 | there is no board, shall issue the temporary certificate without
 80 | requiring the applicant to provide a social security number.

81 | Section 2. Subsection (1) of section 458.3137, Florida
 82 | Statutes, is amended to read:

83 | 458.3137 Temporary certificate for visiting physicians to
 84 | obtain medical privileges for instructional purposes in
 85 | conjunction with certain plastic surgery or other medical or
 86 | surgical training programs and educational symposiums.—

87 | (1) A physician who has been invited by:

88 | (a) A plastic surgery or other medical or surgical
 89 | training program affiliated with a medical school in this state
 90 | which is accredited by the Accreditation Council for Graduate
 91 | Medical Education or the American Osteopathic Association or
 92 | which is part of a teaching hospital as defined in s. 408.07; ~~or~~

93 | (b) A teaching hospital as defined in s. 408.07; or

94 | (c) ~~(b)~~ An educational symposium cosponsored by the
 95 | American Society of Plastic Surgeons, the Plastic Surgery
 96 | Educational Foundation, the American Society for Aesthetic
 97 | Plastic Surgery, or any other medical or surgical society in
 98 | conjunction with a medical school or teaching hospital as
 99 | defined in s. 408.07,

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101 | may be issued a temporary certificate for limited privileges
 102 | solely for purposes of providing educational training in plastic
 103 | surgery or other medical or surgical procedures, as appropriate,
 104 | in accordance with the restrictions set forth in this section.

105 | Section 3. Section 458.3145, Florida Statutes, is amended
 106 | to read:

107 | 458.3145 Medical faculty certificate.—

108 | (1) A medical faculty certificate may be issued without
 109 | examination to an individual who:

110 | (a) Is a graduate of an accredited medical school or its
 111 | equivalent, or is a graduate of a foreign medical school listed
 112 | with the World Health Organization;

113 | (b) Holds a valid, current license to practice medicine in
 114 | another jurisdiction;

115 | (c) Has completed the application form and remitted a
 116 | nonrefundable application fee not to exceed \$500;

117 | (d) Has completed an approved residency or fellowship of
 118 | at least 1 year or has received training which has been
 119 | determined by the board to be equivalent to the 1-year residency
 120 | requirement;

121 | (e) Is at least 21 years of age;

122 | (f) Is of good moral character;

123 | (g) Has not committed any act in this or any other
 124 | jurisdiction which would constitute the basis for disciplining a
 125 | physician under s. 458.331;

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126 (h) For any applicant who has graduated from medical
 127 school after October 1, 1992, has completed, before entering
 128 medical school, the equivalent of 2 academic years of
 129 preprofessional, postsecondary education, as determined by rule
 130 of the board, which must include, at a minimum, courses in such
 131 fields as anatomy, biology, and chemistry; and

132 (i) Has been offered and has accepted a full-time faculty
 133 appointment to teach in a program of medicine at:

- 134 1. The University of Florida;
- 135 2. The University of Miami;
- 136 3. The University of South Florida;
- 137 4. The Florida State University;
- 138 5. The Florida International University;
- 139 6. The University of Central Florida;
- 140 7. The Mayo Clinic College of Medicine and Science in
 141 Jacksonville, Florida; ~~or~~
- 142 8. The Florida Atlantic University; or
- 143 9. The Johns Hopkins All Children's Hospital in St.
 144 Petersburg, Florida.

145 (2) The certificate authorizes the holder to practice only
 146 in conjunction with his or her faculty position at an accredited
 147 medical school and its affiliated clinical facilities or
 148 teaching hospitals that are registered with the Board of
 149 Medicine as sites at which holders of medical faculty
 150 certificates will be practicing, or a specialty-licensed

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151 children's hospital licensed under chapter 395 that is
152 affiliated with an accredited medical school and its affiliated
153 clinics. Such certificate automatically expires when the
154 holder's relationship with the medical school is terminated or
155 after a period of 24 months, whichever occurs sooner, and is
156 renewable every 2 years by a holder who applies to the board on
157 a form prescribed by the board and provides certification by the
158 dean of the medical school that the holder is a distinguished
159 medical scholar and an outstanding practicing physician.

160 (3) The holder of a medical faculty certificate issued
161 under this section has all rights and responsibilities
162 prescribed by law for the holder of a license issued under s.
163 458.311, except as specifically provided otherwise by law. Such
164 responsibilities include compliance with continuing medical
165 education requirements as set forth by rule of the board. A
166 hospital or ambulatory surgical center licensed under chapter
167 395, health maintenance organization certified under chapter
168 641, insurer as defined in s. 624.03, multiple-employer welfare
169 arrangement as defined in s. 624.437, or any other entity in
170 this state, in considering and acting upon an application for
171 staff membership, clinical privileges, or other credentials as a
172 health care provider, may not deny the application of an
173 otherwise qualified physician for such staff membership,
174 clinical privileges, or other credentials solely because the
175 applicant is a holder of a medical faculty certificate under

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176 | this section.

177 | (4) In any year, the maximum number of extended medical
178 | faculty certificateholders as provided in subsection (2) may not
179 | exceed 30 persons at each institution named in subparagraphs
180 | (1)(i) 1.-6., 8., and 9. ~~and 8.~~ and at the facility named in s.
181 | 1004.43 and may not exceed 10 persons at the institution named
182 | in subparagraph (1)(i)7.

183 | (5) Annual review of all such certificate recipients will
184 | be made by the deans of the accredited 4-year medical schools
185 | provided in paragraph (1)(i) of this section ~~within this state~~
186 | and reported to the Board of Medicine.

187 | (6) Notwithstanding subsection (1), any physician, when
188 | providing medical care or treatment in connection with the
189 | education of students, residents, or faculty at the request of
190 | the dean of an accredited medical school within this state or at
191 | the request of the medical director of a statutory teaching
192 | hospital as defined in s. 408.07 or a specialty-licensed
193 | children's hospital licensed under chapter 395 that is
194 | affiliated with an accredited medical school and its affiliated
195 | clinics, may do so upon registration with the board and
196 | demonstration of financial responsibility pursuant to s.
197 | 458.320(1) or (2) unless such physician is exempt under s.
198 | 458.320(5)(a). The performance of such medical care or treatment
199 | must be limited to a single period of time, which may not exceed
200 | 180 consecutive days, and must be rendered within a facility

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201 registered under subsection (2) or within a statutory teaching
 202 hospital as defined in s. 408.07. A registration fee not to
 203 exceed \$300, as set by the board, is required of each physician
 204 registered under this subsection. However, no more than three
 205 physicians per year per institution may be registered under this
 206 subsection, and an exemption under this subsection may not be
 207 granted to a physician more than once in any given 5-year
 208 period.

209 Section 4. Subsection (3) is added to section 458.3485,
 210 Florida Statutes, to read:

211 458.3485 Medical assistant.—

212 (3) CERTIFICATION.—To obtain the designation of a
 213 certified medical assistant, the medical assistant must receive
 214 certification from a certification program accredited by the
 215 National Commission for Certifying Agencies, a national or state
 216 medical association, or an entity approved by the board.

217 Section 5. Paragraph (b) of subsection (7) of section
 218 483.291, Florida Statutes, is amended to read:

219 483.291 Powers and duties of the agency; rules.—The agency
 220 shall adopt rules to implement this part and part II of chapter
 221 408, which rules must include the following:

222 (7) PERSONNEL.—The agency shall prescribe minimum
 223 qualifications for center personnel. A center may employ as a
 224 medical assistant a person who has at least one of the following
 225 qualifications:

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226 (b) Certification and registration from a certification
 227 program accredited by the National Commission for Certifying
 228 Agencies and approved by the agency ~~by the American Medical~~
 229 ~~Technologists Association or other similar professional~~
 230 ~~association approved by the agency.~~

231 Section 6. This act shall take effect July 1, 2017.