

1                   A bill to be entitled  
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.

26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

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

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

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,

100

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;

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

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

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

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.—In order to earn a credential as a  
213 certified medical assistant, a medical assistant shall obtain  
214 certification from a certification program accredited by the  
215 National Commission for Certifying Agencies.

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

218 483.291 Powers and duties of the agency; rules.—The agency  
219 shall adopt rules to implement this part and part II of chapter  
220 408, which rules must include the following:

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

225 (b) Certification and registration from a certification

CS/CS/HB 209

2017

226 | program accredited by the National Commission for Certifying  
227 | Agencies and approved by the agency ~~by the American Medical~~  
228 | ~~Technologists Association or other similar professional~~  
229 | ~~association approved by the agency.~~

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