Florida Senate - 2005

By the Committee on Health Care; and Senator Campbell

587-2300-05

1	A bill to be entitled
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	An act relating to the Board of Medicine;
3	amending s. 458.307, F.S.; revising membership
4	requirements; providing for expiration of terms
5	of current members, appointment of new members
6	to staggered terms, and appointment and terms
7	of successors; amending s. 458.311, F.S.;
8	providing for an externship; amending ss.
9	458.331 and 459.015, F.S.; providing for
10	membership on certain probable cause panels;
11	providing an effective date.
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13	Be It Enacted by the Legislature of the State of Florida:
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15	Section 1. Subsections (2) and (3) of section 458.307,
16	Florida Statutes, are amended to read:
17	458.307 Board of Medicine
18	(2) <u>Ten</u> Twelve members of the board must be licensed
19	physicians in good standing in this state who are residents of
20	the state and who have been engaged in the active practice or
21	teaching of medicine in this state with a full and
22	<u>unrestricted medical license</u> for at least <u>5</u> 4 years
23	immediately preceding their appointment. One of the physicians
24	must be on the full-time faculty of a medical school in this
25	state, and one of the physicians must be in private practice
26	and on the full-time staff of a statutory teaching hospital in
27	this state as defined in s. 408.07. At least one of the
28	physicians must be a graduate of a foreign medical school.
29	Four consumer members The remaining three members must be
30	residents of the state who <u>have lived in the state for at</u>
31	least 5 years immediately preceding their appointments, have

1	never been licensed as a health care practitioner under
2	chapter 456 or the applicable practice act, and do not have a
3	substantial personal, business, professional, or pecuniary
4	connection with a licensed health care practitioner or with a
5	medical education or health care facility, except as patients
6	or potential patients are not, and never have been, licensed
7	health care practitioners . <u>The final</u> One member must be <u>the</u>
8	<u>chief operations officer of a hospital</u> a health care risk
9	manager licensed under <u>chapter 395 who has lived in the state</u>
10	and held this position for at least 5 years immediately
11	preceding his or her appointment s. 395.10974 . At least one
12	member of the board must be 60 years of age or older.
13	(3) <u>Terms for current members of the board shall</u>
14	expire on October 31, 2005. Initial appointments to the board
15	pursuant to this act shall take effect November 1, 2005. Five
16	of the initial physician appointments shall be for a term of 2
17	years; five of the initial physician appointments shall be for
18	a term of 3 years; and the remaining initial appointments
19	shall be for a term of 4 years. As the terms of the members
20	expire subsequent to November 1, 2005, the Governor shall
21	appoint successors for terms of 4 years, and such members
22	shall serve until their successors are appointed.
23	Section 2. Present subsections (2) through (8) of
24	section 458.311, Florida Statutes, are redesignated as
25	subsections (3) through (9), respectively, present subsection
26	(7) of that section is amended, and a new subsection (2) is
27	added to that section, to read:
28	458.311 Licensure by examination; requirements;
29	fees
30	(2) Notwithstanding sub-subparagraphs (1)(f)1.c.,
31	2.c., and 3.c. and paragraph (3)(d), except for passing part
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1	II of the National Board of Medical Examiners examination or
2	the Educational Commission for Foreign Medical Graduates
3	examination equivalent as referred to in paragraph (3)(d), the
4	board may develop procedures for an applicant for licensure as
5	a physician pursuant to this chapter to meet postgraduate
6	training requirements by completing a 2-year externship at a
7	nonstatutory teaching hospital licensed in this state. The
8	training provided in the externship must be substantially
9	similar, as defined by board rule, to the training provided in
10	an approved residency as described in sub-subparagraphs
11	(1)(f)1.c., 2.c., or 3.c. In order for the externship to meet
12	the requirements of this section, it must be approved by the
13	board before the applicant enters into the externship. The
14	applicant may not be licensed under this section unless the
15	board finds that the applicant has successfully completed the
16	externship. The board may adopt rules to administer this
17	section, including the implementation of fees to cover costs.
18	Section 3. Subsection (2) of section 458.331, Florida
19	Statutes, is amended to read:
20	458.331 Grounds for disciplinary action; action by the
21	board and department
22	(2) The board may enter an order denying licensure or
23	imposing any of the penalties in s. 456.072(2) against any
24	applicant for licensure or licensee who is found guilty of
25	violating any provision of subsection (1) of this section or
26	who is found guilty of violating any provision of s.
27	456.072(1). A probable cause panel considering disciplinary
28	action against a physician assistant pursuant to s. 456.073
29	shall include a licensed physician assistant designated by the
30	Council on Physician Assistants. In determining what action is
31	appropriate, the board must first consider what sanctions are
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1 necessary to protect the public or to compensate the patient. 2 Only after those sanctions have been imposed may the disciplining authority consider and include in the order 3 requirements designed to rehabilitate the physician. All costs 4 associated with compliance with orders issued under this 5 6 subsection are the obligation of the physician. 7 Section 4. Subsection (2) of section 459.015, Florida 8 Statutes, is amended to read: 9 459.015 Grounds for disciplinary action; action by the 10 board and department. --(2) The board may enter an order denying licensure or 11 12 imposing any of the penalties in s. 456.072(2) against any 13 applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) of this section or 14 who is found guilty of violating any provision of s. 15 456.072(1). A probable cause panel considering disciplinary 16 action against a physician assistant pursuant to s. 456.073 17 shall include a licensed physician assistant designated by the 18 Council on Physician Assistants. In determining what action is 19 appropriate, the board must first consider what sanctions are 20 21 necessary to protect the public or to compensate the patient. 22 Only after those sanctions have been imposed may the 23 disciplining authority consider and include in the order requirements designed to rehabilitate the physician. All 2.4 costs associated with compliance with orders issued under this 25 26 subsection are the obligation of the physician. 27 Section 5. This act shall take effect upon becoming a 28 law. 29 30 31

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CS for SB 1180

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2	COMMITTEE SUBSTITUTE FOR <u>Senate Bill 1180</u>
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4	The Committee Substitute for Senate Bill 1180 allows a medical physician licensure applicant to enroll in a 2-year externship
5	5 in a licensed non-teaching hospital approved by the Board of Medicine in lieu of completing the required 1-year residency 6 for licensure and the academic year of supervised clinical training for foreign medical graduates. The bill requires
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8	designated by the Council of Physician Assistants.
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