

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 173 Medical Faculty Certification

SPONSOR(S): Health Quality Subcommittee; Magar

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health Quality Subcommittee	12 Y, 0 N, As CS	Siples	O'Callaghan
2) Health & Human Services Committee	11 Y, 0 N	Siples	Calamas

SUMMARY ANALYSIS

A medical faculty certificate allows medical school faculty physicians to practice medicine in Florida without sitting for and successfully passing a licensure examination. A physician who receives a medical faculty certificate has all rights and responsibilities as other licensed physicians, except the certificateholder may only practice in conjunction with a full-time faculty position at an accredited medical school and its affiliated clinical facilities or teaching hospitals. Currently, medical faculty certificates are authorized for physicians teaching in one of seven Florida medical schools; Florida Atlantic University is not included in that list.

The bill expands the current medical faculty certificate eligibility criteria by allowing a medical faculty certificate to be issued to an individual who has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at the Florida Atlantic University. The bill also limits the number of extended medical faculty certificateholders allowed at the Florida Atlantic University to 30 persons, which is consistent with limitations for all but one of the other institutions eligible for such certificates.

The bill also changes the name of the Mayo Medical School at the Mayo Clinic in Jacksonville, Florida, in s. 458.3145, F.S., to the Mayo Clinic College of Medicine in Jacksonville, Florida, to expand the eligibility of physicians who teach at the college to receive medical faculty certificates.

There is an insignificant, negative fiscal impact on the Department of Health and no fiscal impact on local governments.

The bill provides an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Medical Faculty Certificates

The Board of Medicine within the Department of Health's Division of Medical Quality Assurance may issue medical faculty certificates to physicians allowing them to practice medicine in Florida without sitting for and successfully passing a national examination.¹ These physicians have the same rights and responsibilities as other licensed physicians, except they may only practice in conjunction with a full-time faculty position at an accredited medical school and its affiliated clinical facilities or teaching hospitals.

To be eligible to receive a medical faculty certificate a physician must:²

- Be a graduate of an accredited medical school or its equivalent, or a graduate of a foreign medical school listed with the World Health Organization;
- Hold a valid, current license to practice medicine in another jurisdiction;
- Complete the application form and remit a nonrefundable application fee not to exceed \$500;
- Complete an approved residency or fellowship of at least one year or equivalent training;
- Be at least 21 years of age;
- Be of good moral character;
- Not have committed any act in Florida or any other jurisdiction which would constitute the basis for disciplining a physician;
- Have completed, before medical school, the equivalent of 2 academic years of preprofessional, postsecondary education, as determined by the Board of Medicine;³ and
- Have accepted a full-time faculty appointment to teach in a program of medicine at:
 - The University of Florida;
 - The University of Miami;
 - The University of South Florida;
 - The Florida State University;
 - The Florida International University;
 - The University of Central Florida; or
 - The Mayo Medical School at the Mayo Clinic in Jacksonville, Florida.

Currently, a medical faculty certificate holder is required to pay an application fee of \$500, and \$424 for the issuance of the initial certificate.⁴ The initial certificate is valid for 2 years, or until the applicant terminates their relationship with the medical school or teaching institution. To renew (or extend) a certificate, an applicant must submit an approved form, remit a renewal fee of \$360,⁵ and submit a letter from the dean of the medical school stating that the applicant is a distinguished medical scholar and an outstanding practicing physician.⁶

There is no limit on the number of initial certificates a medical school or teaching institution may receive. However, the number of medical faculty certificates that may be renewed by each medical

¹ There are several different types of national examinations for medical doctors: a State Board Examination, National Board of Medical Examiners, United States Medical Licensing Examination, Federation Licensing Examination (FLEX), and Special Purpose Examination (SPEX).

² Section 458.3145(1), F.S.

³ This education requirement is only applicable to applicants who have graduated from medical school after October 1, 1992. Section 458.3145(1)(h), F.S.

⁴ Rule 64B8-3.002, F.A.C.

⁵ However, for a medical faculty certificate renewed during calendar years 2015 and 2016, the renewal fee is \$250. Rule 64B8-3.003, F.A.C.

⁶ Section 458.3145(2), F.S.

school or teaching institution is statutorily limited.⁷ All medical schools, except the Mayo Medical School at the Mayo Clinic in Jacksonville, Florida, are limited to 30 renewed medical faculty certificates. The Mayo Medical School is limited to 10 renewed medical faculty certificates. The H. Lee Moffitt Cancer Center and Research Institute is also permitted to have up to 30 renewed faculty certificates.⁸

An annual review of each medical faculty certificate recipient is made by the dean of the certificate recipient's accredited 4-year medical school and reported to the Board of Medicine within the Department of Health on an annual basis.⁹ According to the Department of Health, as of October 12, 2015, the Board of Medicine oversees 46 active medical faculty certificates.¹⁰

Florida Atlantic University Charles E. Schmidt College of Medicine

The Florida Atlantic University Charles E. Schmidt College of Medicine (college) was recently established in Palm Beach County and is housed in a \$20 million, 95,000-square-foot facility funded by a gift from the Schmidt Family Foundation and state matching funds. The college's inaugural class of 64 students, who were enrolled in August 2011, recently graduated in April 2015.¹¹ The college has approximately 256 currently enrolled students.¹² Tuition at the college is \$27,292 a year for resident students and \$60,710 a year for nonresident students.¹³

The college also hosts several researchers who are performing research on an array of health issues, including cardiovascular disease and stroke, cancer, Parkinson's disease, Alzheimer's disease, macular degeneration, autoimmune diseases, and HIV/AIDS.¹⁴

Currently, physicians teaching at the college may not obtain a medical faculty certificate, because Florida Atlantic University is not included in the list of institutions whose full-time physician employees are eligible to apply under s. 458.3145, F.S.

Mayo Clinic College of Medicine

The Mayo Clinic College of Medicine includes 5 different schools: Mayo Medical School, Mayo Graduate School, Mayo School of Graduate Medical Education, Mayo School of Health Sciences, and Mayo School of Continuous Professional Development.¹⁵ To date, the Mayo Clinic has trained more than 23,000 physicians and scientists,¹⁶ including at least 1,600 students who have completed medical school training at the Mayo Medical School.¹⁷

Under s. 458.3145, F.S., a physician hired by the Mayo Medical School at the Mayo Clinic in Jacksonville, Florida, is eligible to apply for a medical faculty certificate.

⁷ Section 458.3145(4), F.S.

⁸ *Id.*

⁹ Section 458.3145(5), F.S.

¹⁰ E-mail correspondence with Department of Health staff (October 12-13, 2015).

¹¹ Florida Atlantic University Charles E. Schmidt College of Medicine, *Message from the Dean*, available at http://med.fau.edu/home/deans_message.php (last visited on January 4, 2016).

¹² *Id.*

¹³ The reflected tuition costs do not include any fees, including health insurance fees, which may be assessed by the college. AAMC, *Tuition and Student Fees Reports: Public Medical Schools-Tuition and Fees First Year Medical Students 2014-2015*, available at https://services.aamc.org/tsfreports/report.cfm?select_control=PUB&year_of_study=2015 (last visited on January 4, 2016).

¹⁴ Florida Atlantic University Charles E. Schmidt College of Medicine, *About Charles E. Schmidt College of Medicine*, available at <http://med.fau.edu/home/index.php> (last visited on January 4, 2016).

¹⁵ Mayo Clinic College of Medicine, *About*, available at <http://www.mayo.edu/education/about> (last visited on January 4, 2016).

¹⁶ Mayo Clinic College of Medicine, *History*, available at <http://www.mayo.edu/education/about/history> (last visited on January 4, 2016).

¹⁷ Mayo Medical School, *History*, available at <http://www.mayo.edu/mms/about/history> (last visited on January 4, 2016).

Effect of Proposed Changes

The bill expands the current medical faculty certificate eligibility criteria by allowing a medical faculty certificate to be issued without examination to an individual who has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at the Florida Atlantic University. The bill also limits the number of extended medical faculty certificateholders allowed at the Florida Atlantic University to 30 persons, which is consistent with limitations for all but one of the other institutions eligible for such certificates.

The bill changes the name of one institution listed in s. 458.3145, F.S., from the “Mayo Medical School at the Mayo Clinic in Jacksonville, Florida,” to the “Mayo Clinic College of Medicine in Jacksonville, Florida.” The Mayo Medical School is only one of 5 schools within the Mayo Clinic College of Medicine.¹⁸ Therefore, the bill would allow a physician hired to teach in any one of the five schools under the Mayo Clinic College of Medicine to be eligible for a medical faculty certificate.

The bill provides an effective date of July 1, 2016.

B. SECTION DIRECTORY:

Section 1. Amends s. 458.3145, F.S., relating to medical faculty certificates.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The Division of Medical Quality Assurance within the Department of Health may see an increase in workload from processing additional medical faculty certificates and certificate renewals. However, the application fee of \$500, the initial license fee of \$424, and the renewal license fee of \$360 should support the workload increase.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

¹⁸ *Supra* fn. .

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On October 20, 2015, the Health Quality Subcommittee adopted an amendment to correct the name of The Mayo Clinic College of Medicine in Jacksonville, Florida, and includes the Florida Atlantic University as a recipient of the medical faculty certificates, instead of the medical school within the university, which is consistent with the other listed eligible institutions in current law.