

1 A bill to be entitled
 2 An act relating to maintenance of certification;
 3 creating ss. 458.3113 and 459.0056, F.S.; providing
 4 definitions; providing legislative intent; prohibiting
 5 the Boards of Medicine and Osteopathic Medicine,
 6 respectively, and the Department of Health, health
 7 care facilities, and insurers from requiring certain
 8 certifications as conditions of licensure,
 9 reimbursement, employment, or admitting privileges;
 10 providing construction; providing an effective date.

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

13
 14 Section 1. Section 458.3113, Florida Statutes, is created
 15 to read:

16 458.3113 Conditions of licensure, reimbursement,
 17 employment, or admitting privileges.-

18 (1) For purposes of this section, the term:

19 (a) "Maintenance of certification" means a periodic
 20 testing regimen, proprietary self-assessment requirement, peer
 21 evaluation, or other requirement imposed by a recognizing agency
 22 approved by the board pursuant to rule 64B8-11.001, Florida
 23 Administrative Code.

24 (b) "Recertification" means a subsequent recognition or
 25 certification of educational or scholarly achievement beyond

26 initial board certification in a subspecialty by a recognizing
 27 agency approved by the board pursuant to rule 64B8-11.001,
 28 Florida Administrative Code.

29 (2) It is the intent of the Legislature to further improve
 30 the efficiency of the health care market and eliminate
 31 unnecessary administrative and regulatory requirements.

32 (3) Notwithstanding any other provision of law, the board,
 33 the department, a health care facility licensed under chapter
 34 395, or an insurer as defined in s. 624.03 may not require
 35 maintenance of certification or recertification as a condition
 36 of licensure, reimbursement, employment, or admitting privileges
 37 for a physician who practices medicine and has achieved initial
 38 board certification in a subspecialty pursuant to this chapter.

39 (4) This section may not be construed to prohibit the
 40 board from requiring continuing medical education pursuant to
 41 rule 64B8-13.001, Florida Administrative Code.

42 Section 2. Section 459.0056, Florida Statutes, is created
 43 to read:

44 459.0056 Conditions of licensure, reimbursement,
 45 employment, or admitting privileges.-

46 (1) For purposes of this section, the term:

47 (a) "Maintenance of certification" means a periodic
 48 testing regimen, proprietary self-assessment requirement, peer
 49 evaluation, or other requirement imposed by a recognizing agency
 50 approved by the board pursuant to rule 64B15-14.001, Florida

51 Administrative Code.

52 (b) "Recertification" means a subsequent recognition or
53 certification of educational or scholarly achievement beyond
54 initial board certification in a subspecialty by a recognizing
55 agency approved by the board pursuant to rule 64B15-14.001,
56 Florida Administrative Code.

57 (2) It is the intent of the Legislature to further improve
58 the efficiency of the health care market and eliminate
59 unnecessary administrative and regulatory requirements.

60 (3) Notwithstanding any other provision of law, the board,
61 the department, a health care facility licensed under chapter
62 395, or an insurer as defined in s. 624.03 may not require
63 maintenance of certification or recertification as a condition
64 of licensure, reimbursement, employment, or admitting privileges
65 for an osteopathic physician who practices medicine and has
66 achieved initial board certification in a subspecialty pursuant
67 to this chapter.

68 (4) This section may not be construed to prohibit the
69 board from requiring continuing medical education pursuant to
70 rule 64B15-13.001, Florida Administrative Code.

71 Section 3. This act shall take effect July 1, 2017.