A bill to be entitled
An act relating to health care practitioner titles and abbreviations; creating s. 456.0651, F.S.; defining terms; providing that, for specified purposes, the use of specified titles or designations in connection with one's name constitutes the practice of medicine or the practice of osteopathic medicine; providing exceptions; amending s. 456.072, F.S.; revising grounds for disciplinary action relating to a practitioner's use of such titles or designations in identifying himself or herself to patients or in advertisements for health care services; revising applicability; requiring certain health care practitioners to prominently display copies of their licenses in a conspicuous area of their practices; requiring that the copy of the license be a specified size; requiring such health care practitioners to also verbally identify themselves in a specified manner to new patients; requiring, rather than authorizing, certain boards or the Department of Health if there is no board, to adopt certain rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Section 456.0651, Florida Statutes, is created to read:

456.0651 Health care practitioner titles and designations.—

(1) As used in this section, the term:

(a) "Advertisement" means any printed, electronic, or oral statement that:

1. Is communicated or disseminated to the general public.
2. a. Is intended to encourage a person to use a practitioner's professional services or to promote those services or the practitioner in general; or
   b. For commercial purposes, names a practitioner in connection with the practice, profession, or institution in which the practitioner is employed, volunteers, or provides health care services.
3. Is prepared, communicated, or disseminated under the control of the practitioner or with the practitioner's consent.

(b) "Educational degree" means the degree awarded to a practitioner by a college or university relating to the practitioner's profession or specialty designation which may be referenced in an advertisement by name or acronym.

(c) "Misleading, deceptive, or fraudulent representation" means any information that misrepresents or falsely describes a practitioner's profession, skills, training, expertise, educational degree, board certification, or licensure.
(d) "Practitioner" means a health care practitioner as defined in s. 456.001.

(e) "Profession" in addition to the meaning provided in s. 456.001, also means the name or title of a practitioner's profession that is regulated by the department in the Division of Medical Quality Assurance and which is allowed to be used by an individual due to his or her license, license by endorsement, certification, or registration issued by a board or the department. The term does not include a practitioner's license or educational degree.

(2) For purposes of this section and s. 456.065, in addition to the definition of "practice of medicine" in s. 458.305 and the definition of "practice of osteopathic medicine" in s. 459.003, the practice of medicine or osteopathic medicine also includes attaching to one's name, either alone or in combination, or in connection with other words, any of the following titles or designations, if used in an advertisement or in a manner that constitutes a misleading, deceptive, or fraudulent representation:

(a) Doctor of medicine.
(b) M.D.
(c) Doctor of osteopathy.
(d) D.O.
(e) Physician.
(f) Emergency physician.
(g) Family physician.
(h) Interventional pain physician.
(i) Medical doctor.
(j) Osteopath.
(k) Osteopathic physician.
(l) Doctor of osteopathic medicine.
(m) Surgeon.
(n) Neurosurgeon.
(o) General surgeon.
(p) Resident physician.
(q) Medical resident.
(r) Medical intern.
(s) Anesthesiologist.
(t) Cardiologist.
(u) Dermatologist.
(v) Endocrinologist.
(w) Gastroenterologist.
(x) Gynecologist.
(y) Hematologist.
(z) Hospitalist.
(aa) Intensivist.
(bb) Internist.
(cc) Laryngologist.
(dd) Nephrologist.
(ee) Neurologist.
(ff) Obstetrician.
(gg) Oncologist.
(hh) Ophthalmologist.
(ii) Orthopedic surgeon.
(jj) Orthopedist.
(kk) Otologist.
(ll) Otolaryngologist.
(mm) Otorhinolaryngologist.
(nn) Pathologist.
(oo) Pediatrician.
(pp) Primary care physician.
(qq) Proctologist.
(rr) Psychiatrist.
(ss) Radiologist.
(tt) Rheumatologist.
(uu) Rhinologist.
(vv) Urologist.

(3) Notwithstanding subsection (2):
   (a) A licensed practitioner may use the name or title of his or her profession which is authorized under his or her practice act, and any corresponding designations or initials so authorized, to describe himself or herself and his or her practice.
   (b) A licensed practitioner who has a specialty area of practice authorized under his or her practice act may use the
following format to identify himself or herself or describe his or her practice: "...(name or title of the practitioner's profession)..., specializing in ...(name of the practitioner's specialty)...."

(c) A chiropractic physician licensed under chapter 460 may use the titles "chiropractic physician," "doctor of chiropractic medicine," "chiropractic radiologist," and other titles, abbreviations, or designations authorized under his or her practice act or reflecting those chiropractic specialty areas in which the chiropractic physician has attained diplomate status as recognized by the American Chiropractic Association, the International Chiropractors Association, the International Academy of Clinical Neurology, or the International Chiropractic Pediatric Association.

(d) A podiatric physician licensed under chapter 461 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "podiatric physician," "podiatric surgeon," "Fellow in the American College of Foot and Ankle Surgeons," and other titles or abbreviations authorized under his or her practice act.

(e) A dentist licensed under chapter 466 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of medicine in dentistry," "doctor of dental medicine," "D.M.D.," "doctor of dental surgery," "D.D.S.," "oral surgeon," "maxillofacial
surgeon," "oral and maxillofacial surgeon," "O.M.S.," "oral radiologist," "dental anesthesiologist," "oral pathologist," and other titles or abbreviations authorized under his or her practice act.

(f) An anesthesiologist assistant licensed under chapter 458 or chapter 459 may use only the titles "anesthesiologist assistant" or "certified anesthesiologist assistant" and the abbreviation "C.A.A."

(g) An optometrist licensed under chapter 463 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of optometry," "optometric physician," and other titles or abbreviations authorized under his or her practice act.

Section 2. Paragraph (t) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.—
(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:
(t)1. A practitioner's failure, when treating or consulting with a patient, Failing to identify through written notice, which may include the wearing of a name tag the practitioner's name and, or orally to a patient the profession, as defined in s. 456.0651, type of license under which the practitioner is practicing. The information on the name tag must
be consistent with the specifications of s. 456.0651(2) such that it does not constitute the unlicensed practice of medicine or osteopathic medicine.

2. The failure of any advertisement for health care services naming the practitioner to identify the profession, as defined in s. 456.0651, under which the practitioner is practicing and the practitioner's educational degree, as defined in s. 456.0651, in relation to the services featured in the advertisement type of license the practitioner holds.

3. Subparagraph 1. This paragraph does not apply to a practitioner while the practitioner is providing services in his or her own office that houses his or her practice or group practice. In such a case, in lieu of a name tag, the practitioner must prominently display a copy of his or her license in a conspicuous area of the practice so that it is easily visible to patients. The copy of the license must be no smaller than the original license. The practitioner must also verbally identify himself or herself to a new patient by name and identify the profession, as defined in s. 456.0651, under which the practitioner is practicing. Such verbal identification must be consistent with the specifications of s. 456.0651(2) such that it does not constitute the unlicensed practice of medicine or osteopathic medicine a facility licensed under chapter 394, chapter 395, chapter 400, or chapter 429.
4. Each board, or the department if there is no board, shall be authorized by rule to determine how its practitioners may comply with this paragraph disclosure requirement.

Section 3. This act shall take effect July 1, 2023.