

Amendment No.

CHAMBER ACTION

Senate

House

.

---

Representative Massullo offered the following:

**Amendment (with title amendment)**

Remove lines 27-219 and insert:

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;

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

14 2.a. Is intended to encourage a person to use a  
15 practitioner's professional services or to promote those  
16 services or the practitioner in general; or

17 b. For commercial purposes, names a practitioner in  
18 connection with the practice, profession, or institution in  
19 which the practitioner is employed, volunteers, or provides  
20 health care services.

21 3. Is prepared, communicated, or disseminated under the  
22 control of the practitioner or with the practitioner's consent.

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

27 (c) "Misleading, deceptive, or fraudulent representation"  
28 means any information that misrepresents or falsely describes a  
29 practitioner's profession, skills, training, expertise,  
30 educational degree, board certification, or licensure.

31 (d) "Practitioner" means a health care practitioner as  
32 defined in s. 456.001.

33 (e) "Profession," in addition to the meaning provided in  
34 s. 456.001, also means the name or title of a practitioner's  
35 profession that is regulated by the department in the Division  
36 of Medical Quality Assurance and which is allowed to be used by  
37 an individual due to his or her license, license by endorsement,  
38 certification, or registration issued by a board or the

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

39 department. The term does not include a practitioner's license  
40 or educational degree.

41 (2) For purposes of this section and s. 456.065, in  
42 addition to the definition of "practice of medicine" in s.  
43 458.305 and the definition of "practice of osteopathic medicine"  
44 in s. 459.003, the practice of medicine or osteopathic medicine  
45 also includes attaching to one's name, either alone or in  
46 combination, or in connection with other words, any of the  
47 following titles or designations, if used in an advertisement or  
48 in a manner that constitutes a misleading, deceptive, or  
49 fraudulent representation:

50 (a) Doctor of medicine.

51 (b) M.D.

52 (c) Doctor of osteopathy.

53 (d) D.O.

54 (e) Emergency physician.

55 (f) Family physician.

56 (g) Interventional pain physician.

57 (h) Medical doctor.

58 (i) Osteopath.

59 (j) Osteopathic physician.

60 (k) Doctor of osteopathic medicine.

61 (l) Surgeon.

62 (m) Neurosurgeon.

63 (n) General surgeon.

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

- 64 | (o) Resident physician.
- 65 | (p) Medical resident.
- 66 | (q) Medical intern.
- 67 | (r) Anesthesiologist.
- 68 | (s) Cardiologist.
- 69 | (t) Dermatologist.
- 70 | (u) Endocrinologist.
- 71 | (v) Gastroenterologist.
- 72 | (w) Gynecologist.
- 73 | (x) Hematologist.
- 74 | (y) Hospitalist.
- 75 | (z) Intensivist.
- 76 | (aa) Internist.
- 77 | (bb) Laryngologist.
- 78 | (cc) Nephrologist.
- 79 | (dd) Neurologist.
- 80 | (ee) Obstetrician.
- 81 | (ff) Oncologist.
- 82 | (gg) Ophthalmologist.
- 83 | (hh) Orthopedic surgeon.
- 84 | (ii) Orthopedist.
- 85 | (jj) Otologist.
- 86 | (kk) Otolaryngologist.
- 87 | (ll) Otorhinolaryngologist.
- 88 | (mm) Pathologist.

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

89 (nn) Pediatrician.

90 (oo) Primary care physician.

91 (pp) Proctologist.

92 (qq) Psychiatrist.

93 (rr) Radiologist.

94 (ss) Rheumatologist.

95 (tt) Rhinologist.

96 (uu) Urologist.

97 (3) Notwithstanding subsection (2):

98 (a) A licensed practitioner may use the name or title of  
99 his or her profession which is authorized under his or her  
100 practice act, and any corresponding designations or initials so  
101 authorized, to describe himself or herself and his or her  
102 practice.

103 (b) A licensed practitioner who has a specialty area of  
104 practice authorized under his or her practice act may use the  
105 following format to identify himself or herself or describe his  
106 or her practice: "... (name or title of the practitioner's  
107 profession)..., specializing in ... (name of the practitioner's  
108 specialty)...."

109 (c) A chiropractic physician licensed under chapter 460  
110 may use the titles "chiropractic physician," "doctor of  
111 chiropractic medicine," "chiropractic radiologist," and other  
112 titles, abbreviations, or designations authorized under his or  
113 her practice act or reflecting those chiropractic specialty

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

114 areas in which the chiropractic physician has attained diplomate  
115 status as recognized by the American Chiropractic Association,  
116 the International Chiropractors Association, the International  
117 Academy of Clinical Neurology, or the International Chiropractic  
118 Pediatric Association.

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

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

134 (f) An anesthesiologist assistant licensed under chapter  
135 458 or chapter 459 may use only the titles "anesthesiologist  
136 assistant" or "certified anesthesiologist assistant" and the  
137 abbreviation "C.A.A."

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

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

143 Section 2. Paragraph (t) of subsection (1) of section  
144 456.072, Florida Statutes, is amended to read:

145 456.072 Grounds for discipline; penalties; enforcement.—

146 (1) The following acts shall constitute grounds for which  
147 the disciplinary actions specified in subsection (2) may be  
148 taken:

149 (t)1. A practitioner's failure, when treating or  
150 consulting with a patient, ~~Failing~~ to identify through ~~written~~  
151 ~~notice, which may include~~ the wearing of a name tag the  
152 practitioner's name and profession, as defined in s. 456.0651,  
153 ~~or orally to a patient the type of license~~ under which the  
154 practitioner is practicing. The information on the name tag must  
155 be consistent with the specifications of s. 456.0651(2) such  
156 that it does not constitute the unlicensed practice of medicine  
157 or osteopathic medicine.

158 2. The failure of any advertisement for health care  
159 services naming the practitioner to ~~must~~ identify the  
160 profession, as defined in s. 456.0651, under which the  
161 practitioner is practicing and the practitioner's educational  
162 degree, as defined in s. 456.0651, in relation to the services

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

163 featured in the advertisement type of license the practitioner  
164 holds.

165 3. Subparagraph 1. This paragraph does not apply to a  
166 practitioner while the practitioner is providing services in his  
167 or her own office that houses his or her practice or group  
168 practice. In such a case, in lieu of a name tag, the  
169 practitioner must prominently display a copy of his or her  
170 license in a conspicuous area of the practice so that it is  
171 easily visible to patients. The copy of the license must be no  
172 smaller than the original license. The practitioner must also  
173 verbally identify himself or herself to

174 -----  
175  
176 **T I T L E A M E N D M E N T**

177 Remove lines 3-16 and insert:  
178 designations; creating s. 456.0651, F.S.; defining terms;  
179 providing that, for specified purposes, the use of specified  
180 titles or designations in connection with one's name constitutes  
181 the practice of medicine or the practice of osteopathic  
182 medicine; providing exceptions; amending s. 456.072, F.S.;;  
183 revising grounds for disciplinary action relating to a  
184 practitioner's use of such titles or designations in identifying  
185 himself or herself to patients or in advertisements for health  
186 care services; revising applicability; requiring certain health

325533

Approved For Filing: 3/5/2024 5:53:59 AM

Amendment No.

187 | care practitioners to prominently display copies of their  
188 | licenses in a conspicuous area of their

325533

Approved For Filing: 3/5/2024 5:53:59 AM