

26 Section 1. Section 456.0651, Florida Statutes, is created
 27 to read:

28 456.0651 Health care practitioner titles and
 29 designations.—

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

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

33 1. Is communicated or disseminated to the general public.

34 2.a. Is intended to encourage a person to use a
 35 practitioner's professional services or to promote those
 36 services or the practitioner in general; or

37 b. For commercial purposes, names a practitioner in
 38 connection with the practice, profession, or institution in
 39 which the practitioner is employed, volunteers, or provides
 40 health care services.

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

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

47 (c) "Misleading, deceptive, or fraudulent representation"
 48 means any information that misrepresents or falsely describes a
 49 practitioner's profession, skills, training, expertise,
 50 educational degree, board certification, or licensure.

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

53 (e) "Profession" in addition to the meaning provided in s.
54 456.001, also means the name or title of a practitioner's
55 profession that is regulated by the department in the Division
56 of Medical Quality Assurance and which is allowed to be used by
57 an individual due to his or her license, license by endorsement,
58 certification, or registration issued by a board or the
59 department. The term does not include a practitioner's license
60 or educational degree.

61 (2) For purposes of this section and s. 456.065, in
62 addition to the definition of "practice of medicine" in s.
63 458.305 and the definition of "practice of osteopathic medicine"
64 in s. 459.003, the practice of medicine or osteopathic medicine
65 also includes attaching to one's name, either alone or in
66 combination, or in connection with other words, any of the
67 following titles or designations, if used in an advertisement or
68 in a manner that constitutes a misleading, deceptive, or
69 fraudulent representation:

70 (a) Doctor of medicine.

71 (b) M.D.

72 (c) Doctor of osteopathy.

73 (d) D.O.

74 (e) Emergency physician.

75 (f) Family physician.

- 76 | (g) Interventional pain physician.
- 77 | (h) Medical doctor.
- 78 | (i) Osteopath.
- 79 | (j) Osteopathic physician.
- 80 | (k) Doctor of osteopathic medicine.
- 81 | (l) Surgeon.
- 82 | (m) Neurosurgeon.
- 83 | (n) General surgeon.
- 84 | (o) Resident physician.
- 85 | (p) Medical resident.
- 86 | (q) Medical intern.
- 87 | (r) Anesthesiologist.
- 88 | (s) Cardiologist.
- 89 | (t) Dermatologist.
- 90 | (u) Endocrinologist.
- 91 | (v) Gastroenterologist.
- 92 | (w) Gynecologist.
- 93 | (x) Hematologist.
- 94 | (y) Hospitalist.
- 95 | (z) Intensivist.
- 96 | (aa) Internist.
- 97 | (bb) Laryngologist.
- 98 | (cc) Nephrologist.
- 99 | (dd) Neurologist.
- 100 | (ee) Obstetrician.

101 (ff) Oncologist.
 102 (gg) Ophthalmologist.
 103 (hh) Orthopedic surgeon.
 104 (ii) Orthopedist.
 105 (jj) Otologist.
 106 (kk) Otolaryngologist.
 107 (ll) Otorhinolaryngologist.
 108 (mm) Pathologist.
 109 (nn) Pediatrician.
 110 (oo) Primary care physician.
 111 (pp) Proctologist.
 112 (qq) Psychiatrist.
 113 (rr) Radiologist.
 114 (ss) Rheumatologist.
 115 (tt) Rhinologist.
 116 (uu) Urologist.
 117 (3) Notwithstanding subsection (2):
 118 (a) A licensed practitioner may use the name or title of
 119 his or her profession which is authorized under his or her
 120 practice act, and any corresponding designations or initials so
 121 authorized, to describe himself or herself and his or her
 122 practice.
 123 (b) A licensed practitioner who has a specialty area of
 124 practice authorized under his or her practice act may use the
 125 following format to identify himself or herself or describe his

126 or her practice: "...(name or title of the practitioner's
127 profession)..., specializing in ...(name of the practitioner's
128 specialty)...."

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

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

145 (e) A dentist licensed under chapter 466 may use the
146 following titles and abbreviations as applicable to his or her
147 license, specialty, and certification: "doctor of medicine in
148 dentistry," "doctor of dental medicine," "D.M.D.," "doctor of
149 dental surgery," "D.D.S.," "oral surgeon," "maxillofacial
150 surgeon," "oral and maxillofacial surgeon," "O.M.S.," "oral

151 radiologist," "dental anesthesiologist," "oral pathologist," and
 152 other titles or abbreviations authorized under his or her
 153 practice act.

154 (f) An anesthesiologist assistant licensed under chapter
 155 458 or chapter 459 may use only the titles "anesthesiologist
 156 assistant" or "certified anesthesiologist assistant" and the
 157 abbreviation "C.A.A."

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

163 Section 2. Paragraph (t) of subsection (1) of section
 164 456.072, Florida Statutes, is amended to read:

165 456.072 Grounds for discipline; penalties; enforcement.—

166 (1) The following acts shall constitute grounds for which
 167 the disciplinary actions specified in subsection (2) may be
 168 taken:

169 (t)1. A practitioner's failure, when treating or
 170 consulting with a patient, ~~Failing~~ to identify through ~~written~~
 171 ~~notice, which may include~~ the wearing of a name tag the
 172 practitioner's name and, ~~or orally to a patient~~ the profession,
 173 as defined in s. 456.0651, ~~type of license~~ under which the
 174 practitioner is practicing. The information on the name tag must
 175 be consistent with the specifications of s. 456.0651(2) such

176 that it does not constitute the unlicensed practice of medicine
177 or osteopathic medicine.

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

185 3. Subparagraph 1. ~~This paragraph~~ does not apply to a
186 practitioner while the practitioner is providing services in his
187 or her own office that houses his or her practice or group
188 practice. In such a case, in lieu of a name tag, the
189 practitioner must prominently display a copy of his or her
190 license in a conspicuous area of the practice so that it is
191 easily visible to patients. The copy of the license must be no
192 smaller than the original license. The practitioner must also
193 verbally identify himself or herself to a new patient by name
194 and identify the profession, as defined in s. 456.0651, under
195 which the practitioner is practicing. Such verbal identification
196 must be consistent with the specifications of s. 456.0651(2)
197 such that it does not constitute the unlicensed practice of
198 medicine or osteopathic medicine ~~a facility licensed under~~
199 chapter 394, chapter 395, chapter 400, or chapter 429.

200 4. Each board, or the department ~~if where~~ there is no

CS/HB 1295

2024

201 | board, shall ~~is authorized~~ by rule ~~to~~ determine how its
202 | practitioners must ~~may~~ comply with this paragraph ~~disclosure~~
203 | ~~requirement~~.

204 | Section 3. This act shall take effect July 1, 2024.