

1                                   A bill to be entitled  
 2           An act relating to temporary certificates for practice  
 3           in areas of critical need; amending ss. 458.315,  
 4           459.0076, and 464.0121, F.S.; revising the conditions  
 5           under which the Board of Medicine, the Board of  
 6           Osteopathic Medicine, and the Board of Nursing,  
 7           respectively, may issue temporary certificates for  
 8           practice in areas of critical need; authorizing  
 9           certificateholders to continue primary care services  
 10          after such areas lose their critical need designation  
 11          under certain circumstances; providing an effective  
 12          date.

13  
 14 Be It Enacted by the Legislature of the State of Florida:

15  
 16           **Section 1. Paragraph (c) of subsection (3) of section**  
 17 **458.315, Florida Statutes, is amended to read:**

18           458.315 Temporary certificate for practice in areas of  
 19 critical need.—

20           (3) The board may issue a temporary certificate under this  
 21 section subject to the following restrictions:

22           (c)1. Any certificate issued under this section is valid  
 23 only so long as one of the following conditions applies:

24           a. The State Surgeon General determines that the reason  
 25 for which it was issued remains a critical need to the state; or

26        b. The certificate was issued for practice in an area of  
 27 critical need that has since lost its designation and the  
 28 certificateholder maintains an active primary care treatment  
 29 relationship in the area with one or more patients. In such  
 30 case, the certificateholder may continue providing primary care  
 31 services to patients in such area under the certificate if the  
 32 board finds that all other requirements are satisfied during its  
 33 review of the certificateholder.

34        2. The board shall review each temporary certificateholder  
 35 at least annually to ascertain that the certificateholder is  
 36 complying with the minimum requirements of the Medical Practice  
 37 Act and its adopted rules, as applicable to the  
 38 certificateholder. If it is determined that the  
 39 certificateholder is not meeting such minimum requirements, the  
 40 board must revoke such certificate or impose restrictions or  
 41 conditions, or both, as a condition of continued practice under  
 42 the certificate.

43        **Section 2. Paragraph (c) of subsection (3) of section**  
 44 **459.0076, Florida Statutes, is amended to read:**

45        459.0076 Temporary certificate for practice in areas of  
 46 critical need.—

47        (3) The board may issue this temporary certificate subject  
 48 to the following restrictions:

49        (c)1. Any certificate issued under this section is valid  
 50 only so long as one of the following conditions applies:

51        a. The State Surgeon General determines that the reason  
52 for which it was issued remains a critical need to the state; or

53        b. The certificate was issued for practice in an area of  
54 critical need that has since lost its designation and the  
55 certificateholder maintains an active primary care treatment  
56 relationship in the area with one or more patients. In such  
57 case, the certificateholder may continue providing primary care  
58 services to patients in such area under the certificate if the  
59 board finds that all other requirements are satisfied during its  
60 review of the certificateholder.

61        2. The board shall review each temporary certificateholder  
62 at least annually to ascertain that the certificateholder is  
63 complying with the minimum requirements of the Osteopathic  
64 Medical Practice Act and its adopted rules, as applicable to the  
65 certificateholder. If it is determined that the  
66 certificateholder is not meeting such minimum requirements, the  
67 board must revoke such certificate or impose restrictions or  
68 conditions, or both, as a condition of continued practice under  
69 the certificate.

70        **Section 3. Paragraph (c) of subsection (3) of section**  
71 **464.0121, Florida Statutes, is amended to read:**

72        464.0121 Temporary certificate for practice in areas of  
73 critical need.—

74        (3) The board may issue a temporary certificate under this  
75 section subject to the following restrictions:

76 (c)1. Any certificate issued under this section is valid  
77 only so long as one of the following conditions applies:

78 a. The State Surgeon General maintains the determination  
79 that the critical need that supported the issuance of the  
80 temporary certificate remains a critical need to the state; or

81 b. The certificate was issued for practice in an area of  
82 critical need that has since lost its designation and the  
83 certificateholder maintains an active primary care treatment  
84 relationship in the area with one or more patients. In such  
85 case, the certificateholder may continue providing primary care  
86 services to patients in such area under the certificate if the  
87 board finds that all other requirements are satisfied during its  
88 review of the certificateholder.

89 2. The board shall review each temporary certificateholder  
90 at least annually to ascertain that the certificateholder is  
91 complying with the minimum requirements of the Nurse Practice  
92 Act and its adopted rules, as applicable to the  
93 certificateholder. If it is determined that the  
94 certificateholder is not meeting such minimum requirements, the  
95 board must revoke such certificate or impose restrictions or  
96 conditions, or both, as a condition of continued practice under  
97 the certificate.

98 **Section 4.** This act shall take effect upon becoming a law.