

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

1 Committee/Subcommittee hearing bill: Professions & Public
2 Health Subcommittee

3 Representative Smith, C. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 17-33 and insert:

7 456.61 Use of free speech by a health care practitioner or
8 an employee of the department; prohibition.—A board within the
9 jurisdiction of the department, the department if there is no
10 board, or a recognizing agency approved by the board under rule
11 64B15-14.001, Florida Administrative Code:

12 (1) May not reprimand, sanction, or revoke or threaten to
13 revoke a license, certificate, or registration of a health care
14 practitioner or reprimand, sanction, or terminate employment of
15 an employee of the department for exercising his or her
16 constitutional right of free speech, including, but not limited

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17 to, speech through the use of a social media platform as defined
18 in s. 501.2041(1), unless such entities prove beyond a
19 reasonable doubt that the use of free speech:

20 (a) By the health care practitioner led to the direct
21 physical harm of a person with whom the health care practitioner
22 had a practitioner-patient relationship within the 3 years
23 immediately preceding the incident of physical harm.

24 (b) By an employee of the department led to the direct
25 physical harm of a person.

26 (2) Must provide to a health care practitioner or an
27 employee of the department with any complaints received for
28 which actions may be in order

29
30 -----

31 **T I T L E A M E N D M E N T**

32 Remove lines 2-9 and insert:

33 An act relating to health care associated free speech;
34 creating s. 456.61, F.S.; prohibiting certain entities
35 from reprimanding, sanctioning, or revoking or
36 threatening to revoke a license, certificate, or
37 registration of a health care practitioner or
38 reprimanding, sanctioning, or terminating employment
39 of an employee of the Department of Health for
40 specified use of his or her right of free speech
41 without specified proof; requiring certain entities to

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for HB 687 (2022)

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42 | provide to a health care practitioner or an employee
43 | of the department any

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