

CS/HB 1319

2011

1                   A bill to be entitled

2       An act relating to temporary certificates and licenses for  
3       certain health care practitioners; amending s. 456.024,  
4       F.S.; providing for issuance of a temporary license to  
5       specified health care practitioners who are spouses of  
6       active duty members of the Armed Forces under certain  
7       circumstances; providing for criminal history checks;  
8       providing fees; providing for expiration of a temporary  
9       license; providing that temporary licensees are subject to  
10      specified general licensing requirements; amending ss.  
11      458.315 and 459.0076, F.S.; naming temporary certificates  
12      issued to physicians who practice in areas of critical  
13      need as the "Rear Admiral LeRoy Collins, Jr., Temporary  
14      Certificate for Practice in Areas of Critical Need";  
15      providing an effective date.

16  
17   Be It Enacted by the Legislature of the State of Florida:

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19       Section 1. Subsection (3) is added to section 456.024,  
20   Florida Statutes, to read:

21       456.024 Members of Armed Forces in good standing with  
22   administrative boards or the department; spouses.—

23       (3) (a) The board, or the department when there is no  
24   board, may issue a temporary professional license to the spouse  
25   of an active duty member of the Armed Forces of the United  
26   States who submits to the department:

27       1. A completed application upon a form prepared and  
28   furnished by the department in accordance with the board's

CS/HB 1319

2011

29 rules;

30 2. The required application fee;

31 3. Proof that the applicant is married to a member of the  
32 Armed Forces of the United States who is on active duty;

33 4. Proof that the applicant holds a valid license for the  
34 profession issued by another state, the District of Columbia, or  
35 a possession or territory of the United States, and is not the  
36 subject of any disciplinary proceeding in any jurisdiction in  
37 which the applicant holds a license to practice a profession  
38 regulated by this chapter;

39 5. Proof that the applicant has actively practiced the  
40 profession for a period of no less than 3 years;

41 6. Proof that the applicant's spouse is assigned to a duty  
42 station in this state pursuant to the member's official active  
43 duty military orders; and

44 7. Proof that the applicant would otherwise be entitled to  
45 full licensure under the appropriate practice act and is  
46 eligible to take the respective licensure examination as  
47 required in Florida. The applicant shall comply with any  
48 criminal background check requirements contained in the  
49 applicable practice act, except as otherwise provided in this  
50 section. The board, or the department if there is no board,  
51 shall review the results of any criminal background check and  
52 shall deny or approve the application consistent with the  
53 applicable practice act. The applicant shall pay the cost of  
54 fingerprint processing. If the fingerprints are submitted  
55 through an authorized agency or vendor, the agency or vendor  
56 shall collect the required processing fees and remit the fees to

CS/HB 1319

2011

57 the Department of Law Enforcement.

58 (b) An applicant is ineligible for a temporary license  
59 pursuant to this section if the applicant:

60 1. Has been convicted of or pled nolo contendere to,  
61 regardless of adjudication, any felony or misdemeanor related to  
62 the practice of a health care profession;

63 2. Has had a health care provider license revoked or  
64 suspended from another state, the District of Columbia, or a  
65 United States territory;

66 3. Has been reported to the National Practitioner Data  
67 Bank, unless the applicant successfully appealed to have his or  
68 her name removed from the data bank; or

69 4. Has previously failed a Florida-administered  
70 examination that is required to receive a license pursuant to s.  
71 466.006.

72 (c) The board, or department when there is no board, may  
73 revoke a temporary license upon a finding that the individual  
74 violated the profession's governing practice act.

75 (d) The department shall set an application fee, which may  
76 not exceed the cost of issuing the license.

77 (e) A temporary license expires 6 months after the date of  
78 issuance and is not renewable.

79 (f) A person issued a temporary license under this  
80 subsection is subject to the requirements of s. 456.013(3)(a)  
81 and (c).

82 Section 2. Present subsections (1) through (4) of section  
83 458.315, Florida Statutes, are renumbered as subsections (2)  
84 through (5), respectively, and a new subsection (1) is added to

CS/HB 1319

2011

85    that section, to read:

86            458.315   Temporary certificate for practice in areas of  
87    critical need.—

88            (1)   A certificate issued pursuant to this section may be  
89    cited as the "Rear Admiral LeRoy Collins, Jr., Temporary  
90    Certificate for Practice in Areas of Critical Need."

91            Section 3.   Present subsections (1) through (4) of section  
92    459.0076, Florida Statutes, are renumbered as subsections (2)  
93    through (5), respectively, and a new subsection (1) is added to  
94    that section, to read:

95            459.0076   Temporary certificate for practice in areas of  
96    critical need.—

97            (1)   A certificate issued pursuant to this section may be  
98    cited as the "Rear Admiral LeRoy Collins, Jr., Temporary  
99    Certificate for Practice in Areas of Critical Need."

100           Section 4.   This act shall take effect July 1, 2011.