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# **Health Care Appropriations Subcommittee**

## **Action Packet**

**April 8, 2011  
8:45 AM—10:45 AM  
Webster Hall**

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

**Summary:**

**Health Care Appropriations Subcommittee**

*Friday April 08, 2011 08:45 am*

CS/CS/HB 479 Retained

The vote on passage of CS/CS/HB 479 prior to the motion to retain was: Yeas 11 Nays 3

Amendment 1 Adopted

Yeas: 8 Nays: 6

Amendment 2 Failed to Adopt

Yeas: 4 Nays: 10

Amendment 3 Withdrawn

Amendment 4 Withdrawn

HB 909 Favorable

Yeas: 12 Nays: 0

CS/HB 959 Favorable With Committee Substitute

Yeas: 14 Nays: 0

Amendment 1 Adopted Without Objection

CS/HB 1319 Favorable With Committee Substitute

Yeas: 13 Nays: 0

Amendment 1 Adopted Without Objection

Amendment 2 Adopted Without Objection

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Hudson (Chair)	X		
Charles Chestnut IV	X		
Richard Corcoran	X		
Janet Cruz	X		
Daniel Davis			X
Jose Diaz	X		
James Frishe	X		
Gayle Harrell	X		
Mark Pafford	X		
Scott Randolph	X		
Kenneth Roberson	X		
Elaine Schwartz	X		
W. Gregory Steube	X		
John Wood	X		
Dana Young	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

**CS/CS/HB 479 : Medical Malpractice**

*Retained* - The vote on passage of CS/CS/HB 479 prior to the motion to retain was: Yeas 11 Nays 3

**CS/CS/HB 479 Amendments**

**Amendment 1**

*Adopted*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Charles Chestnut IV	X				
Richard Corcoran	X				
Janet Cruz	X				
Daniel Davis			X		
Jose Diaz	X				
James Frishe		X			
Gayle Harrell		X			
Mark Pafford	X				
Scott Randolph	X				
Kenneth Roberson		X			
Elaine Schwartz	X				
W. Gregory Steube	X				
John Wood		X			
Dana Young		X			
Matt Hudson (Chair)		X			
<b>Total Yays: 8</b>		<b>Total Nays: 6</b>			

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

4/8/2011 8:45:00AM

**Location:** Webster Hall (212 Knott)

**Amendment 2**

Failed to Adopt

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Charles Chestnut IV	X				
Richard Corcoran		X			
Janet Cruz		X			
Daniel Davis			X		
Jose Diaz		X			
James Frishe		X			
Gayle Harrell		X			
Mark Pafford	X				
Scott Randolph	X				
Kenneth Roberson		X			
Elaine Schwartz	X				
W. Gregory Steube		X			
John Wood		X			
Dana Young		X			
Matt Hudson (Chair)		X			
<b>Total Yays: 4</b>		<b>Total Nays: 10</b>			

**Amendment 3**

Withdrawn

**Amendment 4**

Withdrawn

**Appearances:**

CS/CS/HB 479  
 Large, William (Lobbyist) - Opponent  
 Florida Justice Reform Institute  
 210 S Monroe St  
 Tallahassee FL 32301-1824  
 Phone: (850)222-0170

CS/CS/HB 479  
 Henley, Debra (Lobbyist) - Proponent  
 Florida Justice Association  
 218 S Monroe St  
 Tallahassee FL 32301  
 Phone: (850)224-9403

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

CS/CS/HB 479

Delegal, Mark (Lobbyist) - Proponent  
Safety Net Hospital Alliance of Florida  
101 N Gadsden St  
Tallahassee FL 32301  
Phone: (850)222-3533

CS/CS/HB 479

Bounds, Clancey (General Public) - Proponent  
222 W Comstock Ave  
Winter Park FL 32789  
Phone: 407-644-5151

CS/CS/HB 479

Scott, Jeffery (Lobbyist) - Proponent  
Florida Medical Association  
PO Box 10269  
Tallahassee FL 32302  
Phone: (850)224-6496

CS/CS/HB 479

Tejedor, Marla - Opponent  
505 North Mills Avenue  
Orlando FL 32814

CS/CS/HB 479

Winn, Stephen (Lobbyist) - Waive In Support  
Florida Osteopathic Medical Association  
2007 Apalachee Pky  
Tallahassee FL 32301  
Phone: (850)878-3056

CS/CS/HB 479

Kuvin, Grant (General Public) - Opponent  
2907 Lolissa Lane  
Winter Park FL 32789  
Phone: (407)-810-8084

CS/CS/HB 479

Large, Toni (Lobbyist) - Waive In Support  
Florida Orthopaedic Society  
17503 Mallard Ct  
Lutz FL 33559  
Phone: (850)201-0888

CS/CS/HB 479

Bell, Bill - Waive In Support  
Florida Hospital Association  
306 E College Ave  
Tallahassee FL 32301  
Phone: (850) 222-9800

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

CS/CS/HB 479

Hart, Joe Ann (Lobbyist) - Information Only

Florida Dental Association

118 E. Jefferson St.

Tallahassee FL 32301

Phone: (850)224-1089

CS/CS/HB 479

Dudley, Charles (Lobbyist) - Waive In Support

Florida Society of Ophthalmology

6816 Southpoint Pky Ste 1000

Jacksonville FL 32216

Phone: (850)681-0024

CS/CS/HB 479

Pitts, Brian - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

CS/CS/HB 479

Sobel, Ken (General Public) - Opponent

7460 NW 127 Ter

Parkland FL 33076

Phone: 954-249-1078

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 479 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing bill: Health Care Appropriations  
2 Subcommittee

3 Representative(s) Schwartz offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove lines 467-705 and insert:

7 Subsection (6) of section 458.351, Florida Statutes, is  
8 renumbered as subsection (7), and a new subsection (6) is added  
9 to that section to read:

10 458.351 Reports of adverse incidents in office practice  
11 settings.—

12 (6) (a) The board shall adopt rules establishing a standard  
13 informed consent form that sets forth the recognized specific  
14 risks related to cataract surgery. The board must propose such  
15 rules within 90 days after the effective date of this  
16 subsection.

17 (b) Before formally proposing the rule, the board must  
18 consider information from physicians licensed under this chapter  
19 or chapter 459 regarding recognized specific risks related to



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 479 (2011)

Amendment No. 1

20 cataract surgery and the standard informed consent forms adopted  
21 for use in the medical field by other states.

22 (c) A patient's informed consent is not executed until the  
23 patient, or a person authorized by the patient to give consent,  
24 and a competent witness sign the form adopted by the board.

25 (d) An incident resulting from recognized specific risks  
26 described in the signed consent form is not considered an  
27 adverse incident for purposes of s. 395.0197 and this section.

28 (e) In a civil action or administrative proceeding against  
29 a physician based on his or her alleged failure to properly  
30 disclose the risks of cataract surgery, a patient's informed  
31 consent executed as provided in paragraph (c) on the form  
32 adopted by the board is admissible as evidence and creates a  
33 rebuttable presumption that the physician properly disclosed the  
34 risks.

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37  
38 **T I T L E A M E N D M E N T**

39 Remove lines 39-53 and insert:  
40 negligence cases in the state; amending s. 768.0981, F.S.;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 479 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Health Care Appropriations  
2 Subcommittee  
3 Representative(s) Schwartz offered the following:

**Amendment (with title amendment)**

Remove lines 59-120 and lines 149-270

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

Remove lines 2-15 and insert:

An act relating to medical malpractice; amending s. 458.351,  
F.S.;

WHD

(3)

1 Rep. Schwartz moved the following amendment:

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**Amendment**

Remove lines 349 - 466 and renumber subsequent sections.

Bill No. CS/CS/HB 479  
Amendment No. \_\_\_\_\_

WLD

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1 Rep. Schwartz moved the following amendment:

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**Amendment**

Remove lines 706 - 717 and renumber subsequent sections.

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

4/8/2011 8:45:00AM

**Location:** Webster Hall (212 Knott)

**HB 909 : Emergency Medical Services**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Charles Chestnut IV	X				
Richard Corcoran	X				
Janet Cruz	X				
Daniel Davis			X		
Jose Diaz	X				
James Frishe	X				
Gayle Harrell			X		
Mark Pafford	X				
Scott Randolph	X				
Kenneth Roberson	X				
Elaine Schwartz			X		
W. Gregory Steube	X				
John Wood	X				
Dana Young	X				
Matt Hudson (Chair)	X				
<b>Total Yeas: 12      Total Nays: 0</b>					

**Appearances:**

HB 909  
Pitts, Brian - Waive In Support  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: 727-897-9291

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

**CS/HB 959 : Administrative, Licensure, and Programmatic Monitoring of Mental Health and Substance Abuse Service Providers**

*Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Charles Chestnut IV	X				
Richard Corcoran	X				
Janet Cruz	X				
Daniel Davis			X		
Jose Diaz	X				
James Frishe	X				
Gayle Harrell	X				
Mark Pafford	X				
Scott Randolph	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
W. Gregory Steube	X				
John Wood	X				
Dana Young	X				
Matt Hudson (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**CS/HB 959 Amendments**

**Amendment 1**

*Adopted Without Objection*

**Appearances:**

CS/HB 959

Koch, Karen (Lobbyist) - Waive In Support  
 Florida Council for Behavioral Healthcare, Inc  
 316 E Park Ave  
 Tallahassee FL 32301-1514  
 Phone: (850)224-6048

CS/HB 959

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 959 (2011)

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: Health Care Appropriations  
2 Subcommittee

3 Representative(s) Young offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove lines 68-101 and insert:

7 (2) Limit administrative, licensure, and programmatic  
8 monitoring of mental health and substance abuse service  
9 providers to once every 3 years if the service provider is  
10 accredited by the Joint Commission, the Commission on  
11 Accreditation of Rehabilitation Facilities, or the Council on  
12 Accreditation of Children and Family Services. For the purpose  
13 of this section, "mental health and substance abuse service  
14 provider" means a provider regulated or licensed under chapters  
15 394 or 397, who provides services to the state's priority  
16 populations as described in s. 394.674. If the services being

Amendment No. 1

17 monitored are not the services for which the provider is  
18 accredited, the limitations of this subsection do not apply. If  
19 the accrediting body does not require the documentation that the  
20 state agency requires, that documentation shall be requested by  
21 the state agency and may be posted by the service provider on  
22 the data warehouse for the agency's review, except documents  
23 related to licensure applications and fees. Notwithstanding the  
24 survey or inspection of an accrediting organization specified in  
25 this subsection, an agency specified in and subject to this  
26 section may continue to monitor the service provider as  
27 necessary with respect to:

28 (a) Ensuring that services for which the agency is paying  
29 are being provided.

30 (b) Investigating complaints, identifying problems that  
31 would affect client safety or viability of the service provider,  
32 and monitoring the service provider's compliance with any  
33 resulting negotiated terms and conditions, including provisions  
34 relating to consent decrees that are unique to a specific  
35 service and are not statements of general applicability.

36 (c) Ensuring compliance with federal and state laws,  
37 federal regulations, or state rules if such monitoring does not



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 959 (2011)

Amendment No. 1

38 duplicate the accrediting organization's review pursuant to  
39 accreditation standards.

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41 Federal certification and precertification reviews are exempt  
42 from this subsection to ensure federal compliance.

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**T I T L E   A M E N D M E N T**

47

Remove line 17 and insert:

48

providing a definition; exempting federal certification

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

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: Health Care Appropriations  
2 Subcommittee

3 Representative Harrell offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (3) is added to section 456.024,

8 Florida Statutes, to read:

9 456.024 Members of Armed Forces in good standing with  
10 administrative boards or the department; spouses.—

11 (3) (a) The board, or the department if there is no board,  
12 may issue a temporary professional license to the spouse of an  
13 active duty member of the Armed Forces of the United States who  
14 submits to the department:

15 1. A completed application upon a form prepared and  
16 furnished by the department in accordance with the board's  
17 rules;

18 2. The required application fee;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment No. 1

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

21       4. Proof that the applicant holds a valid license for the  
22 profession issued by another state, the District of Columbia, or  
23 a possession or territory of the United States, and is not the  
24 subject of any disciplinary proceeding in any jurisdiction in  
25 which the applicant holds a license to practice a profession  
26 regulated by this chapter;

27       5. Proof that the applicant's spouse is assigned to a duty  
28 station in this state pursuant to the member's official active  
29 duty military orders; and

30       6. Proof that the applicant would otherwise be entitled to  
31 full licensure under the appropriate practice act, and is  
32 eligible to take the respective licensure examination as  
33 required in Florida.

34       (b) The applicant must also submit to the Department of  
35 Law Enforcement a complete set of fingerprints. The Department  
36 of Law Enforcement shall conduct a statewide criminal history  
37 check and forward the fingerprints to the Federal Bureau of  
38 Investigation for a national criminal history check.

39       (c) Each board, or the department if there is no board,  
40 shall review the results of the state and federal criminal  
41 history checks according to the level 2 screening standards in  
42 s. 435.04 when granting an exemption and when granting or  
43 denying the temporary license.

44       (d) The applicant shall pay the cost of fingerprint  
45 processing. If the fingerprints are submitted through an  
46 authorized agency or vendor, the agency or vendor shall collect

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment No. 1

47 the required processing fees and remit the fees to the  
48 Department of Law Enforcement.

49 (e) The department shall set an application fee, which may  
50 not exceed the cost of issuing the license.

51 (f) A temporary license expires 12 months after the date  
52 of issuance and is not renewable.

53 (g) An applicant for a temporary license under this  
54 subsection is subject to the requirements under s. 456.013(3)(a)  
55 and (c).

56 (h) An applicant shall be deemed ineligible for a  
57 temporary license pursuant to this section if the applicant:

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

61 2. Has had a health care provider license revoked or  
62 suspended from another of the United States, the District of  
63 Colombia, or a United States Territory;

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

67 4. Has previously failed the Florida examination required  
68 to receive a license to practice the profession for which the  
69 applicant is seeking a license.

70 (i) The board, or department if there is no board, may  
71 revoke a temporary license upon finding that the individual  
72 violated the profession's governing practice act.

73 (j) An applicant who is issued a temporary professional  
74 license to practice as a dentist pursuant to this section must

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment No. 1

75 practice under the indirect supervision, as defined in s.

76 466.003, of a dentist licensed pursuant to chapter 466.

77 Section 2. Present subsections (1) through (4) of section  
78 458.315, Florida Statutes, are renumbered as subsections (2)  
79 through (5), respectively, and a new subsection (1) is added to  
80 that section, to read:

81 458.315 Temporary certificate for practice in areas of  
82 critical need.—

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

86 Section 3. Present subsections (1) through (4) of section  
87 459.0076, Florida Statutes, are renumbered as subsections (2)  
88 through (5), respectively, and a new subsection (1) is added to  
89 that section, to read:

90 459.0076 Temporary certificate for practice in areas of  
91 critical need.—

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

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

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

100 Remove the entire title and insert:

101 A bill to be entitled

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment No. 1

102 An act relating to temporary certificates and licenses for  
103 certain health care practitioners; amending s. 456.024,  
104 F.S.; providing for issuance of a temporary license to  
105 specified health care practitioners who are spouses of  
106 active duty members of the Armed Forces under certain  
107 circumstances; providing for criminal history checks;  
108 providing fees; providing for expiration of a temporary  
109 license; requiring a person who is issued a temporary  
110 license to be subject to certain general licensing  
111 requirements; providing that certain persons are  
112 ineligible for such license; providing for revocation of  
113 such license; requiring certain temporary licensees to  
114 practice under the indirect supervision of other  
115 licensees; amending ss. 458.315 and 459.0076, F.S.; naming  
116 the temporary certificates issued to physicians who  
117 practice in areas of critical need after Rear Admiral  
118 LeRoy Collins, Jr.; providing an effective date.

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

4/8/2011 8:45:00AM

**Location:** Webster Hall (212 Knott)

**CS/HB 1319 : Temporary Certificates and Licenses for Certain Health Care Practitioners**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Charles Chestnut IV	X				
Richard Corcoran	X				
Janet Cruz			X		
Daniel Davis			X		
Jose Diaz	X				
James Frishe	X				
Gayle Harrell	X				
Mark Pafford	X				
Scott Randolph	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
W. Gregory Steube	X				
John Wood	X				
Dana Young	X				
Matt Hudson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**CS/HB 1319 Amendments**

**Amendment 1**

Adopted Without Objection

**Amendment 2**

Adopted Without Objection

**Appearances:**

CS/HB 1319

Winn, Stephen (Lobbyist) - Waive In Support  
 Florida Osteopathic Medical Association  
 2007 Apalachee Pky  
 Tallahassee FL 32301  
 Phone: (850)878-3056

CS/HB 1319

Pitts, Brian - Information Only  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM

**COMMITTEE MEETING REPORT**  
**Health Care Appropriations Subcommittee**

**4/8/2011 8:45:00AM**

**Location:** Webster Hall (212 Knott)

CS/HB 1319

Hart, Joe Ann (Lobbyist) - Waive In Support

Florida Dental Association

118 E. Jefferson St.

Tallahassee FL 32308

Phone: (850)224-1089

CS/HB 1319

Hansen, Christopher (Lobbyist) - Proponent

Florida Society of Oral and Maxillofacial Surgeons

420 E Call St Ste 3

Tallahassee FL 32301

Phone: (850)577-9090

**Committee meeting was reported out: Friday, April 08, 2011 4:55:22PM**



Amendment to Amendment 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: Health Care Appropriations  
 2 Subcommittee

3 Representative Harrell offered the following:

4  
 5 **Amendment to Amendment (37114) by Representative Harrell**  
 6 **(with title amendment)**

7 Remove line 95 and insert:

8 Section 4. Effective January 1, 2012, section 466.006,  
 9 Florida Statutes, is amended to read:

10 466.006 Examination of dentists.-

11 (1) (a) It is the intent of the Legislature to reduce the  
 12 costs associated with an independent state-developed practical  
 13 or clinical examination to measure an applicant's ability to  
 14 practice the profession of dentistry and to use the American  
 15 Dental Licensure Examination developed by the American Board of  
 16 Dental Examiners, Inc., in lieu of an independent state-  
 17 developed practical or clinical examination. The Legislature  
 18 finds that the American Dental Licensure Examination, in both  
 19 its structure and function, has been approved and validated by

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment to Amendment 1

20 both the board and the Legislature as consistently meeting  
21 generally accepted testing standards and has been found, as it  
22 is currently organized and operating, to adequately and reliably  
23 measure an applicant's ability to practice the profession of  
24 dentistry.

25 (b) Any person desiring to be licensed as a dentist shall  
26 apply to the department to take the licensure examinations and  
27 shall verify the information required on the application by  
28 oath. The application shall include two recent photographs.  
29 There shall be an application fee set by the board not to exceed  
30 \$100 which shall be nonrefundable. There shall also be an  
31 examination fee set by the board, which shall not exceed \$425  
32 plus the actual per applicant cost to the department for  
33 purchase of some or all portions of the examination from the  
34 American Board of Dental Examiners or its successor entity, if  
35 any, provided the board finds the successor entity's clinical  
36 examination complies with the provisions of this section. The  
37 examination fee ~~Northeast Regional Board of Dental Examiners or~~  
38 a similar national organization, which may be refundable if the  
39 applicant is found ineligible to take the examinations. The  
40 American Dental Licensure Examination is not a national  
41 examination requiring certification by the department pursuant  
42 to s. 456.017(1) (a).

43 (2) An applicant shall be entitled to take the  
44 examinations required in this section to practice dentistry in  
45 this state if the applicant:

46 (a) Is 18 years of age or older.

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47 (b)1. Is a graduate of a dental school accredited by the  
48 American Dental Association Commission on Dental Accreditation  
49 ~~Commission on Accreditation of the American Dental Association~~  
50 or its successor entity agency, if any, or any other dental  
51 ~~nationally recognized~~ accrediting entity recognized by the  
52 United States Department of Education agency; or

53 2. Is a dental student in the final year of a program at  
54 such an accredited dental school located in this state who has  
55 completed all the coursework necessary to prepare the student to  
56 perform the clinical and diagnostic procedures required to pass  
57 the examinations. With respect to a dental student in the final  
58 year of a program at a dental school, a passing score on the  
59 examinations is valid for 365 ~~180~~ days after the date the  
60 examinations were completed. A dental school student who takes  
61 the licensure examinations during the student's final year of an  
62 approved dental school must have graduated before being  
63 certified for licensure pursuant to s. 466.011.

64 (c)1. Has successfully completed the National Board of  
65 Dental Examiners dental examination at any time prior to within  
66 ~~10 years of~~ the date of application; or

67 2. Has an active health access dental license in this  
68 state; and

69 a. The applicant has at least 5,000 hours within 4  
70 consecutive years of clinical practice experience providing  
71 direct patient care in a health access setting as defined in s.  
72 466.003(14); the applicant is a retired veteran dentist of any  
73 branch of the United States Armed Services who has practiced  
74 dentistry while on active duty and has at least 3,000 hours

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75 within 3 consecutive years of clinical practice experience  
76 providing direct patient care in a health access setting as  
77 defined in s. 466.003(14); or the applicant has provided a  
78 portion of his or her salaried time teaching health profession  
79 students in any public education setting, including, but not  
80 limited to, a community college, college, or university, and has  
81 at least 3,000 hours within 3 consecutive years of clinical  
82 practice experience providing direct patient care in a health  
83 access setting as defined in s. 466.003(14);

84 b. The applicant has not been disciplined by the board,  
85 except for citation offenses or minor violations;

86 c. The applicant has not:

87 (I) Filed a report pursuant to s. 456.049 or s. 627.912;

88 (II) Informed a patient or an individual identified  
89 pursuant to s. 765.401(1) about an adverse incident as required  
90 pursuant to s. 456.0575; or

91 (III) Reported information related to a bankruptcy  
92 proceeding pursuant to s. 456.051(2); and

93 d. The applicant has not been convicted of or pled nolo  
94 contendere to, regardless of adjudication, any felony or  
95 misdemeanor related to the practice of a health care profession.

96 ~~(3) If an applicant is a graduate of a dental college or~~  
97 ~~school not accredited in accordance with paragraph (2)(b) or of~~  
98 ~~a dental college or school not approved by the board, the~~  
99 ~~applicant shall not be entitled to take the examinations~~  
100 ~~required in this section to practice dentistry until she or he~~  
101 ~~satisfies one of the following:~~

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102 ~~(a) Completes a program of study, as defined by the board~~  
103 ~~by rule, at an accredited American dental school and~~  
104 ~~demonstrates receipt of a D.D.S. or D.M.D. from said school, or~~

105 ~~(b) Completes a 2 year supplemental dental education~~  
106 ~~program at an accredited dental school and receives a dental~~  
107 ~~diploma, degree, or certificate as evidence of program~~  
108 ~~completion.~~

109 (3)-(4) Effective January 1, 2012, and notwithstanding any  
110 other provision of law in chapter 456 pertaining to the clinical  
111 dental licensure examination or national examinations s-  
112 456.017(1)(e), to be licensed as a dentist in this state, an  
113 applicant must successfully complete the following:

114 (a) A written examination on the laws and rules of the  
115 state regulating the practice of dentistry;

116 (b)1. A practical or clinical examination, which,  
117 effective January 1, 2012, and thereafter, shall be the American  
118 Dental Licensing Examination produced by the American Board of  
119 Dental Examiners, Inc., or its successor entity, if any, that is  
120 administered in this state and graded by dentists licensed in  
121 this state and employed by the department for just such purpose,  
122 provided that the board has attained, and continues to maintain  
123 thereafter, representation on the board of directors of the  
124 American Board of Dental Examiners, the examination development  
125 committee of the American Board of Dental Examiners, and such  
126 other committees of the American Board of Dental Examiners as  
127 the board deems appropriate by rule to assure that the standards  
128 established herein are maintained organizationally. A passing  
129 score on the American Dental Licensure Examination administered

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130 in this state and graded by Florida dentists is valid for 365  
131 days after the date the examination was successfully completed.  
132 The board shall develop and adopt rules that specify the general  
133 areas of competency to be covered by the examination, the  
134 relative weight to be assigned in rating each area tested, the  
135 score necessary to achieve a passing grade, the criteria by  
136 which examiners are to be selected, the grading criteria to be  
137 used by the examiner, and rules regarding the security and  
138 monitoring of the examination.

139 2. As an alternative to subparagraph 1., an applicant may  
140 submit scores from an American Dental Licensure Examination  
141 previously administered in a jurisdiction other than this state,  
142 and such examination results shall be recognized as valid for  
143 the purpose of licensure in this state. A passing score on the  
144 American Dental Licensure Examination administered out-of-state  
145 shall be the same as the passing score for the American Dental  
146 Licensure Examination administered in this state and graded by  
147 dentists who are licensed in this state. The examination results  
148 are valid for 365 days after the date on which the examination  
149 was successfully completed. The applicant must complete the  
150 examination after January 1, 2012. This subparagraph may not be  
151 given retroactive application.

152 3. If the date of an applicant's passing American Dental  
153 Licensure Examination scores from an examination previously  
154 administered in a jurisdiction other than this state is older  
155 than 365 days, then such scores shall nevertheless be recognized  
156 as valid for the purpose of licensure in this state, but only if

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157 the applicant demonstrates to the satisfaction of the board that  
158 all of the following additional standards have been met:

159 a. The applicant completed the American Dental Licensure  
160 Examination after January 1, 2012. This sub-subparagraph may not  
161 be given retroactive application;

162 b. The applicant graduated from a dental school accredited  
163 by the American Dental Association Commission on Dental  
164 Accreditation or its successor entity, if any, or any other  
165 dental accrediting organization recognized by the United States  
166 Department of Education, provided, however, that if the  
167 applicant did not graduate from such a dental school, then the  
168 applicant may submit proof of having successfully completed a  
169 full-time supplemental general dentistry program accredited by  
170 the American Dental Association Commission on Dental  
171 Accreditation of at least 2 consecutive academic years at such  
172 accredited sponsoring institution. This program must provide  
173 didactic and clinical education to the level of a D.D.S. or  
174 D.M.D. program accredited by the American Dental Association  
175 Commission on Dental Accreditation;

176 c. The applicant currently possesses a valid and active  
177 dental license in good standing, with no restriction, which has  
178 never been revoked, suspended, restricted, or otherwise  
179 disciplined, from another state or territory of the United  
180 States, the District of Columbia, or the Commonwealth of Puerto  
181 Rico;

182 d. The applicant has never been reported to the National  
183 Practitioner Data Bank, the Healthcare Integrity and Protection  
184 Data Bank, or the American Association of Dental Boards

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185 Clearinghouse. This sub-subparagraph does not apply if the  
186 applicant successfully appealed to have his or her name removed  
187 from the data banks of these agencies;

188 e. (I) In the 5 years immediately preceding the date of  
189 application for licensure in this state, the applicant must  
190 submit proof of being consecutively engaged in the full-time  
191 practice of dentistry in another state or territory of the  
192 United States, the District of Columbia, or the Commonwealth of  
193 Puerto Rico; or, in the alternative, if the applicant has been  
194 licensed in another state or territory of the United States, the  
195 District of Columbia, or the Commonwealth of Puerto Rico for  
196 less than 5 years, the applicant must submit proof of having  
197 been engaged in the full-time practice of dentistry since the  
198 date of his or her initial licensure.

199 (II) As used in this section, "full time practice" is  
200 defined as a minimum of 1,200 hours per year for each and every  
201 year in the consecutive 5-year period or, where applicable, the  
202 period since initial licensure, and must include any combination  
203 of the following:

204 (A) Active clinical practice of dentistry providing direct  
205 patient care.

206 (B) Full-time practice as a faculty member employed by a  
207 dental or dental hygiene school approved by the board or  
208 accredited by the American Dental Association Commission on  
209 Dental Accreditation.

210 (C) Full-time practice as a student at a postgraduate  
211 dental education program approved by the board or accredited by



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212 the American Dental Association Commission on Dental  
213 Accreditation.

214 (III) The board shall develop rules to determine what type  
215 of proof of full-time practice is required and to recoup the  
216 cost to the board of verifying full-time practice under this  
217 section. Such proof must, at a minimum, be:

218 (A) Admissible as evidence in an administrative  
219 proceeding;

220 (B) Submitted in writing;

221 (C) Submitted by the applicant under oath with penalties  
222 of perjury attached;

223 (D) Further documented by an affidavit of someone  
224 unrelated to the applicant who is familiar with the applicant's  
225 practice and testifies with particularity that the applicant has  
226 been engaged in full-time practice; and

227 (E) Specifically found by the board to be both credible  
228 and admissible.

229 (IV) The board must make specific findings of fact and  
230 conclusions of law regarding the credibility and admissibility  
231 of proffered evidence and such findings and conclusions of law  
232 are final agency action under chapter 120. An affidavit of only  
233 the applicant is not acceptable proof regarding full-time  
234 practice unless it is further attested to by someone unrelated  
235 to the applicant who has personal knowledge of the applicant's  
236 practice. If the board deems it necessary to assess credibility  
237 or accuracy, the board may require the applicant or the  
238 applicant's witnesses to appear before the board and give oral  
239 testimony under oath.

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240 f. The applicant must submit documentation that he or she  
241 has completed, or will complete, prior to licensure in this  
242 state, continuing education equivalent to this state's  
243 requirements for the last full reporting biennium;

244 g. The applicant must prove that he or she has never been  
245 convicted of, or pled nolo contendere to, regardless of  
246 adjudication, any felony or misdemeanor related to the practice  
247 of a health care profession in any jurisdiction;

248 h. The applicant must successfully pass a written  
249 examination on the laws and rules of this state regulating the  
250 practice of dentistry and must successfully pass the computer-  
251 based diagnostic skills examination during the year preceding  
252 the date of the application; and

253 i. The applicant must submit documentation that he or she  
254 has successfully completed the National Board of Dental  
255 Examiners dental examination prior to the date of application.

256 (4) (a) The practical examination required under subsection  
257 (3) shall be the American Dental Licensure Examination developed  
258 by the American Board of Dental Examiners, Inc., or its  
259 successor entity, if any, provided the board finds that the  
260 successor entity's clinical examination complies with the  
261 provisions of this section, and shall include, at a minimum:

262 1. A comprehensive diagnostic skills examination covering  
263 the full scope of dentistry and an examination on applied  
264 clinical diagnosis and treatment planning in dentistry for  
265 dental candidates.

266 2.a. Two restorations on a live patient or patients, and  
267 the board by rule shall determine the class of such

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268 ~~restorations, and whether they shall be performed on mannequins,~~  
269 ~~live patients, or both. At least one restoration shall be on a~~  
270 ~~live patient;~~

271 3.b. A demonstration of periodontal skills on a live  
272 patient;

273 4.e. A demonstration of prosthetics and restorative skills  
274 in complete and partial dentures and crowns and bridges and the  
275 utilization of practical methods of evaluation, specifically  
276 including the evaluation by the candidate of completed  
277 laboratory products such as, but not limited to, crowns and  
278 inlays filled to prepared model teeth;

279 5.d. A demonstration of restorative skills on a mannequin  
280 which requires the candidate to complete procedures performed in  
281 preparation for a cast restoration; ~~and~~

282 6.e. A demonstration of endodontic skills; ~~and.~~

283 7. A diagnostic skills examination demonstrating ability  
284 to diagnose conditions within the human oral cavity and its  
285 adjacent tissues and structures from photographs, slides,  
286 radiographs, or models pursuant to rules of the board. If an  
287 applicant fails to pass the diagnostic skills examination in  
288 three attempts, the applicant shall not be eligible for  
289 reexamination unless she or he completes additional educational  
290 requirements established by the board.

291 (b)2. The department shall consult with the board in  
292 planning the times, places, physical facilities, training of  
293 personnel, and other arrangements concerning the administration  
294 of the examination. The board or a duly designated committee

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295 thereof shall approve the final plans for the administration of  
296 the examination.

297 ~~(c)3.~~ If the applicant fails to pass the clinical  
298 examination in three attempts, the applicant shall not be  
299 eligible for reexamination unless she or he completes additional  
300 educational requirements established by the board; and

301 ~~(c) A diagnostic skills examination demonstrating ability~~  
302 ~~to diagnose conditions within the human oral cavity and its~~  
303 ~~adjacent tissues and structures from photographs, slides,~~  
304 ~~radiographs, or models pursuant to rules of the board. If an~~  
305 ~~applicant fails to pass the diagnostic skills examination in~~  
306 ~~three attempts, the applicant shall not be eligible for~~  
307 ~~reexamination unless she or he completes additional educational~~  
308 ~~requirements established by the board.~~

309 (d) The board may by rule provide for additional  
310 procedures which are to be tested, provided such procedures  
311 shall be common to the practice of general dentistry. The board  
312 by rule shall determine the passing grade for each procedure and  
313 the acceptable variation for examiners. No such rule shall apply  
314 retroactively.

315  
316 The department shall require a mandatory standardization  
317 exercise for all examiners prior to each practical or clinical  
318 examination and shall retain for employment only those dentists  
319 who have substantially adhered to the standard of grading  
320 established at such exercise.

321 (5) (a) It is the finding of the Legislature that absent a  
322 threat to the health, safety, and welfare of the public, the

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323 relocation of applicants to practice dentistry within the  
324 geographic boundaries of this state, who are lawfully and  
325 currently practicing dentistry in another state or territory of  
326 the United States, the District of Columbia, or the Commonwealth  
327 of Puerto Rico, based on their scores from the American Dental  
328 Licensure Examination administered in a state other than this  
329 state, is substantially related to achieving the important state  
330 interest of improving access to dental care for underserved  
331 citizens of this state and furthering the economic development  
332 goals of the state. Therefore, in order to maintain valid active  
333 licensure in this state, all applicants for licensure who are  
334 relocating to this state based on scores from the American  
335 Dental Licensure Examination administered in a state other than  
336 this state, must actually engage in the full-time practice of  
337 dentistry inside the geographic boundaries of this state within  
338 1 year of receiving such licensure in this state. The  
339 Legislature finds that, if such applicants do not actually  
340 engage in the full-time practice of dentistry within the  
341 geographic boundaries of this state within 1 year of receiving  
342 such a license in this state, access to dental care for the  
343 public will not significantly increase, patients' continuity of  
344 care will not be attained, and the economic development goals of  
345 the state will not be significantly met.

346 (b)1. As used in this section, "full time practice of  
347 dentistry within the geographic boundaries of this state within  
348 1 year" is defined as a minimum of 1,200 hours in the initial  
349 year of licensure, which must include any combination of the  
350 following:

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351 a. Active clinical practice of dentistry providing direct  
352 patient care within the geographic boundaries of this state.

353 b. Full-time practice as a faculty member employed by a  
354 dental or dental hygiene school approved by the board or  
355 accredited by the American Dental Association Commission on  
356 Dental Accreditation and located within the geographic  
357 boundaries of this state.

358 c. Full-time practice as a student at a postgraduate  
359 dental education program approved by the board or accredited by  
360 the American Dental Association Commission on Dental  
361 Accreditation and located within the geographic boundaries of  
362 this state.

363 2. The board shall develop rules to determine what type of  
364 proof of full-time practice of dentistry within the geographic  
365 boundaries of this state for 1 year is required in order to  
366 maintain active licensure and shall develop rules to recoup the  
367 cost to the board of verifying maintenance of such full-time  
368 practice under this section. Such proof must, at a minimum:

369 a. Be admissible as evidence in an administrative  
370 proceeding;

371 b. Be submitted in writing;

372 c. Be submitted by the applicant under oath with penalties  
373 of perjury attached;

374 d. Be further documented by an affidavit of someone  
375 unrelated to the applicant who is familiar with the applicant's  
376 practice and testifies with particularity that the applicant has  
377 been engaged in full-time practice of dentistry within the

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378 geographic boundaries of this state within the last 365 days;

379 and

380 e. Include such additional proof as specifically found by  
381 the board to be both credible and admissible.

382 3. The board must make specific findings of fact and  
383 conclusions of law regarding the credibility and admissibility  
384 of such additional proof as evidence, and such findings and  
385 conclusions of law are final agency action under chapter 120. An  
386 affidavit of only the applicant is not acceptable proof  
387 regarding full-time practice of dentistry within the geographic  
388 boundaries of this state within 1 year, unless it is further  
389 attested to by someone unrelated to the applicant who has  
390 personal knowledge of the applicant's practice within the last  
391 365 days. If the board deems it necessary to assess credibility  
392 or accuracy, the board may require the applicant or the  
393 applicant's witnesses to appear before the board and give oral  
394 testimony under oath.

395 (c) It is the further intent of the Legislature that a  
396 license issued pursuant to paragraph (a) shall automatically  
397 expire and become null, void, revoked, and of no effect in the  
398 event the board finds that it did not receive acceptable proof  
399 of full-time practice within the geographic boundaries of this  
400 state within 1 year after the initial issuance of the license.  
401 The board shall make reasonable attempts within 30 days prior to  
402 the expiration and revocation of such a license to notify the  
403 licensee in writing at his or her last known address of the need  
404 for proof of full-time practice in order to continue licensure.  
405 If the board has not received a satisfactory response from the

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406 licensee within the 30-day period, the licensee must be served  
407 with actual or constructive notice of the pending expiration and  
408 revocation of licensure and be given 10 days in which to submit  
409 proof required in order to continue licensure. If the 10-day  
410 period expires and the board finds it has not received  
411 acceptable proof of full-time practice within the geographic  
412 boundaries of this state within 1 year after the initial  
413 issuance of the license, then the board must issue an  
414 administrative order finding that the license has expired and  
415 been revoked. It shall be a disciplinary violation, punishable  
416 according to s. 466.028, for a licensee under this section to  
417 fail to ensure that the board receives acceptable proof of full-  
418 time practice within the geographic boundaries of this state  
419 within 1 year after the initial issuance of such license. The  
420 penalty for such violation shall be revocation of licensure.  
421 Such an order may be appealed by the former licensee in  
422 accordance with the provisions of chapter 120. In the event of  
423 expiration and revocation, the licensee shall immediately cease  
424 and desist from practicing dentistry and shall immediately  
425 surrender to the board the wallet-size identification card and  
426 wall card. A person who uses or attempts to use a license issued  
427 pursuant to this section which has expired or been revoked  
428 commits unlicensed practice of dentistry, a felony of the third  
429 degree pursuant to s. 466.026(1)(b), punishable as provided in  
430 s. 775.082, s. 775.083, or s. 775.084.

431 Section 5. For the purpose of incorporating the amendment  
432 made by this act to section 466.006, Florida Statutes, in a



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433 reference thereto, subsection (1) of section 466.0065, Florida  
434 Statutes, is reenacted to read:

435 466.0065 Regional licensure examinations.—

436 (1) It is the intent of the Legislature that schools of  
437 dentistry be allowed to offer regional licensure examinations to  
438 dental students who are in the final year of a program at an  
439 approved dental school for the sole purpose of facilitating the  
440 student's licensing in other jurisdictions. This section does  
441 not allow a person to be licensed as a dentist in this state  
442 without taking the examinations as set forth in s. 466.006, nor  
443 does this section mean that regional examinations administered  
444 under this section may be substituted for complying with testing  
445 requirements under s. 466.006.

446 Section 6. For the purpose of incorporating the amendment  
447 made by this act to section 466.006, Florida Statutes, in a  
448 reference thereto, subsections (2), (5), (9), and (12) of  
449 section 466.0067, Florida Statutes, are reenacted to read:

450 466.0067 Application for health access dental license.—The  
451 Legislature finds that there is an important state interest in  
452 attracting dentists to practice in underserved health access  
453 settings in this state and further, that allowing out-of-state  
454 dentists who meet certain criteria to practice in health access  
455 settings without the supervision of a dentist licensed in this  
456 state is substantially related to achieving this important state  
457 interest. Therefore, notwithstanding the requirements of s.  
458 466.006, the board shall grant a health access dental license to  
459 practice dentistry in this state in health access settings as  
460 defined in s. 466.003(14) to an applicant that:

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461 (2) Pays an application license fee for a health access  
462 dental license, laws-and-rule exam fee, and an initial licensure  
463 fee. The fees specified in this subsection may not differ from  
464 an applicant seeking licensure pursuant to s. 466.006;

465 (5) Submits documentation that she or he has completed, or  
466 will obtain prior to licensure, continuing education equivalent  
467 to this state's requirement for dentists licensed under s.  
468 466.006 for the last full reporting biennium before applying for  
469 a health access dental license;

470 (9) Has never failed the examination specified in s.  
471 466.006, unless the applicant was reexamined pursuant to s.  
472 466.006 and received a license to practice dentistry in this  
473 state;

474 (12) Has passed an examination covering the laws and rules  
475 of the practice of dentistry in this state as described in s.  
476 466.006(4)(a).

477 Section 7. For the purpose of incorporating the amendment  
478 made by this act to section 466.006, Florida Statutes, in a  
479 reference thereto, paragraph (d) of subsection (1) of section  
480 466.00671, Florida Statutes, is reenacted to read:

481 466.00671 Renewal of the health access dental license.—

482 (1) A health access dental licensee shall apply for  
483 renewal each biennium. At the time of renewal, the licensee  
484 shall sign a statement that she or he has complied with all  
485 continuing education requirements of an active dentist licensee.  
486 The board shall renew a health access dental license for an  
487 applicant that:

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488 (d) Has not failed the examination specified in s. 466.006  
489 since initially receiving a health access dental license or  
490 since the last renewal; and

491 Section 8. For the purpose of incorporating the amendment  
492 made by this act to section 466.006, Florida Statutes, in a  
493 reference thereto, paragraph (b) of subsection (2) and  
494 subsection (3) of section 466.007, Florida Statutes, are  
495 reenacted to read:

496 466.007 Examination of dental hygienists.—

497 (2) An applicant shall be entitled to take the  
498 examinations required in this section to practice dental hygiene  
499 in this state if the applicant:

500 (b)1. Is a graduate of a dental hygiene college or school  
501 approved by the board or accredited by the Commission on  
502 Accreditation of the American Dental Association or its  
503 successor agency; or

504 2. Is a graduate of a dental college or school accredited  
505 in accordance with s. 466.006(2)(b), or a graduate of an  
506 unaccredited dental college or school, and has met the  
507 requirements of subsection (3).

508 (3) A graduate of a dental college or school shall be  
509 entitled to take the examinations required in this section to  
510 practice dental hygiene in this state if, in addition to the  
511 requirements specified in subsection (2), the graduate meets the  
512 following requirements:

513 (a) Submits the following credentials for review by the  
514 board:

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515 1. Transcripts totaling 4 academic years of postsecondary  
516 dental education; and

517 2. A dental school diploma which is comparable to a D.D.S.  
518 or D.M.D.

519

520 Such credentials shall be submitted in a manner provided by rule  
521 of the board. The board shall approve those credentials which  
522 comply with this paragraph and with rules of the board adopted  
523 pursuant to this paragraph. The provisions of this paragraph  
524 notwithstanding, an applicant of a foreign dental college or  
525 school not accredited in accordance with s. 466.006(2)(b) who  
526 cannot produce the credentials required by this paragraph, as a  
527 result of political or other conditions in the country in which  
528 the applicant received his or her education, may seek the  
529 board's approval of his or her educational background by  
530 submitting, in lieu of the credentials required in this  
531 paragraph, such other reasonable and reliable evidence as may be  
532 set forth by board rule. The board shall not accept such other  
533 evidence until it has made a reasonable attempt to obtain the  
534 credentials required by this paragraph from the educational  
535 institutions the applicant is alleged to have attended, unless  
536 the board is otherwise satisfied that such credentials cannot be  
537 obtained.

538 (b) Successfully completes one or more courses, of a scope  
539 and duration approved and defined by board rule, that meet the  
540 requirements of law for instructing health care providers on the  
541 human immunodeficiency virus and acquired immune deficiency  
542 syndrome. In addition, the board may require an applicant who

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543 graduated from a nonaccredited dental college or school to  
544 successfully complete additional coursework, only after failing  
545 the initial examination, as defined by board rule, at an  
546 educational institution approved by the board or accredited as  
547 provided in subparagraph (2)(b)1. A graduate of a foreign dental  
548 college or school not accredited in accordance with s.  
549 466.006(2)(b) may not take the coursework set forth in this  
550 paragraph until the board has approved the credentials required  
551 by paragraph (a).

552 Section 9. For the purpose of incorporating the amendment  
553 made by this act to section 466.006, Florida Statutes, in a  
554 reference thereto, subsection (1) of section 466.009, Florida  
555 Statutes, is reenacted to read:

556 466.009 Reexamination.—

557 (1) The department shall permit any person who fails an  
558 examination which is required under s. 466.006 or s. 466.007 to  
559 retake the examination. If the examination to be retaken is a  
560 practical or clinical examination, the applicant shall pay a  
561 reexamination fee set by rule of the board in an amount not to  
562 exceed the original examination fee.

563 Section 10. For the purpose of incorporating the amendment  
564 made by this act to section 466.006, Florida Statutes, in a  
565 reference thereto, section 466.011, Florida Statutes, is  
566 reenacted to read:

567 466.011 Licensure.—The board shall certify for licensure  
568 by the department any applicant who satisfies the requirements  
569 of s. 466.006, s. 466.0067, or s. 466.007. The board may refuse

Amendment to Amendment 1

570 to certify an applicant who has violated any of the provisions  
571 of s. 466.026 or s. 466.028.

572 Section 11. If any provision of this act or its  
573 application to any person or circumstance is held invalid by a  
574 court of competent jurisdiction, the invalidity does not affect  
575 other provisions or applications of the act which can be given  
576 effect without the invalid provision or application, and to this  
577 end the provisions of this act are severable.

578 Section 12. Except as otherwise specifically provided in  
579 this act, this act shall take effect July 1, 2011, and shall not  
580 apply retroactively.

581

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584

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

585

Remove the entire title and insert:

586

A bill to be entitled

587

An act relating to temporary certificates and licenses for  
588 certain health care practitioners; amending s. 456.024,  
589 F.S.; providing for issuance of a temporary license to  
590 specified health care practitioners who are spouses of  
591 active duty members of the Armed Forces under certain  
592 circumstances; providing for criminal history checks;  
593 providing fees; providing for expiration of a temporary  
594 license; requiring a person who is issued a temporary  
595 license to be subject to certain general licensing  
596 requirements; providing that certain persons are  
597 ineligible for such license; providing for revocation of

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

## Amendment to Amendment 1

598 such license; requiring certain temporary licensees to  
599 practice under the indirect supervision of other  
600 licensees; amending ss. 458.315 and 459.0076, F.S.; naming  
601 the temporary certificates issued to physicians who  
602 practice in areas of critical need after Rear Admiral  
603 LeRoy Collins, Jr.; amending s. 466.006, F.S.; providing  
604 legislative intent with respect to the use of the American  
605 Dental Licensure Examination developed by the American  
606 Board of Dental Examiners, Inc., in lieu of an independent  
607 state-developed practical or clinical exam, to measure an  
608 applicant's ability to practice the profession of  
609 dentistry; providing for examination fees and use thereof;  
610 providing that the American Dental Licensure Examination  
611 is not a national examination requiring certification by  
612 the Department of Health; revising criteria for applicants  
613 for licensure with respect to accreditation of dental  
614 school, location of dental school, period of validity of  
615 examination scores, time limitation on completion of  
616 examination after application, and the filing of specified  
617 reports by an applicant; eliminating provisions with  
618 respect to applicants who are graduates of a dental  
619 college or school not accredited or approved in accordance  
620 with the section; adopting the American Dental Licensure  
621 Exam as the clinical or practical licensure examination  
622 used for licensure as a dentist in this state, providing  
623 specified conditions are maintained; providing for period  
624 of validity of examination scores; requiring the Board of  
625 Dentistry to develop and adopt specified rules;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1319 (2011)

Amendment to Amendment 1

626 authorizing applicants to submit American Dental Licensure  
627 Examination scores from a jurisdiction outside the state  
628 after a specified date; specifying period of validity of  
629 such examination scores; providing that authority to  
630 submit such examination scores does not apply  
631 retroactively; providing that such examination scores  
632 outside the period of validity be recognized as valid upon  
633 demonstration that the applicant has met specified  
634 additional standards; designating the practical  
635 examination and specifying minimum standards therefor;  
636 requiring applicants for licensure with American Dental  
637 Licensure Examination scores from a state other than this  
638 state to engage in the full-time practice of dentistry  
639 inside the geographic boundaries of this state within 1  
640 year of receiving such Florida licensure; providing  
641 legislative intent with respect thereto; providing a  
642 definition; providing legislative intent with respect to  
643 expiration and revocation of such licenses upon a finding  
644 that acceptable proof of full-time practice within the  
645 geographic boundaries of this state within 1 year after  
646 the initial issuance of the license was not received by  
647 the board; providing procedures and requirements with  
648 respect to determination of compliance; providing  
649 procedures, requirements, and prohibitions in the event of  
650 expiration and revocation; providing a penalty for using  
651 or attempting to use a license that has expired or been  
652 revoked; providing that the act does not apply  
653 retroactively; reenacting ss. 466.0065(1), 466.0067(2),



COMMITTEE/SUBCOMMITTEE AMENDMENT

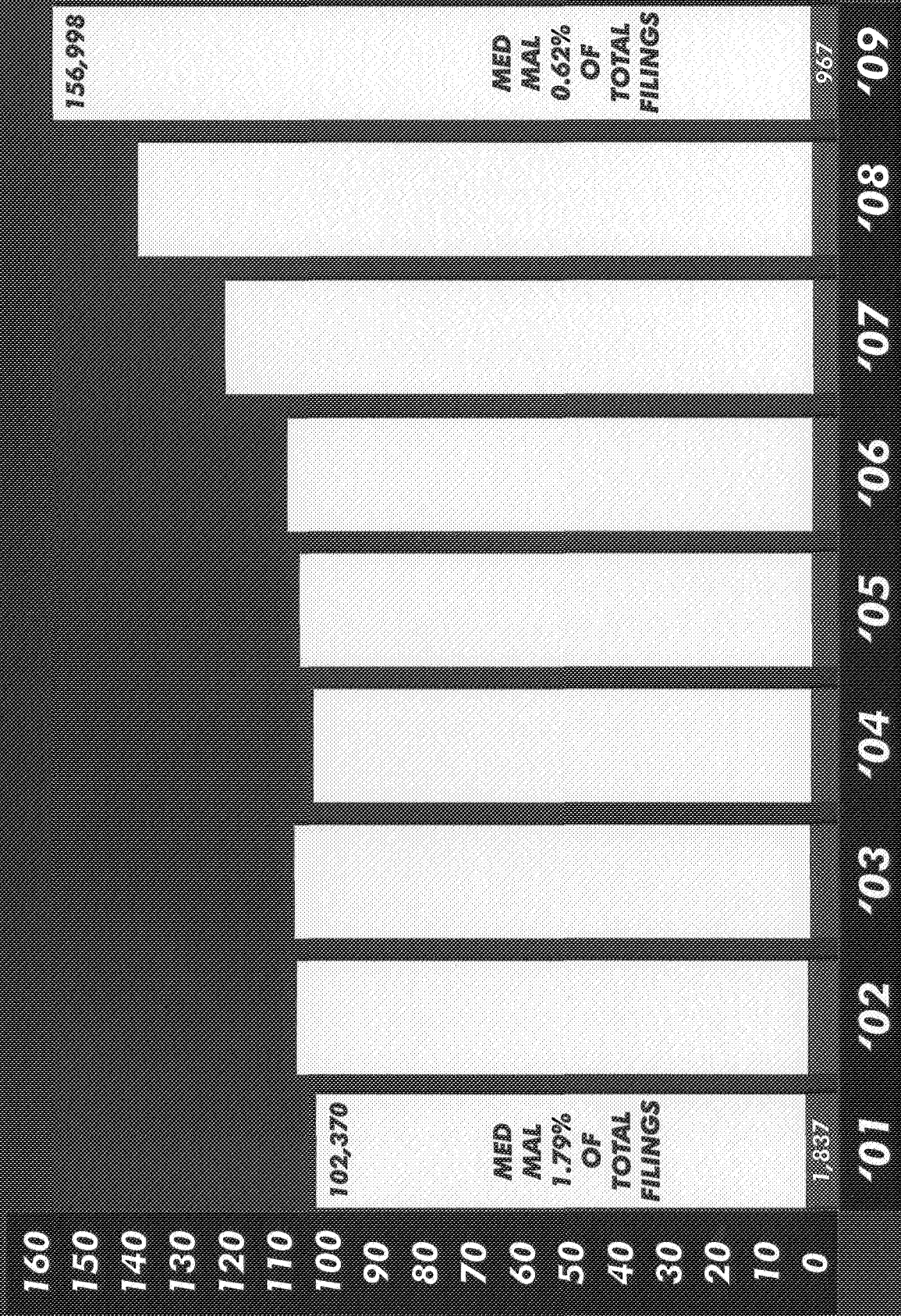
Bill No. CS/HB 1319 (2011)

Amendment to Amendment 1

654 (5), (9), and (12), 466.00671(1)(d), 466.007(2)(b) and  
655 (3), 466.009(1), and 466.011, F.S., relating to regional  
656 licensure examinations, application for health access  
657 dental license, renewal of the health access dental  
658 license, examination of dental hygienists, reexamination,  
659 and licensure, respectively, to incorporate the amendments  
660 made to s. 466.006, F.S., in references thereto; providing  
661 severability; providing effective dates.

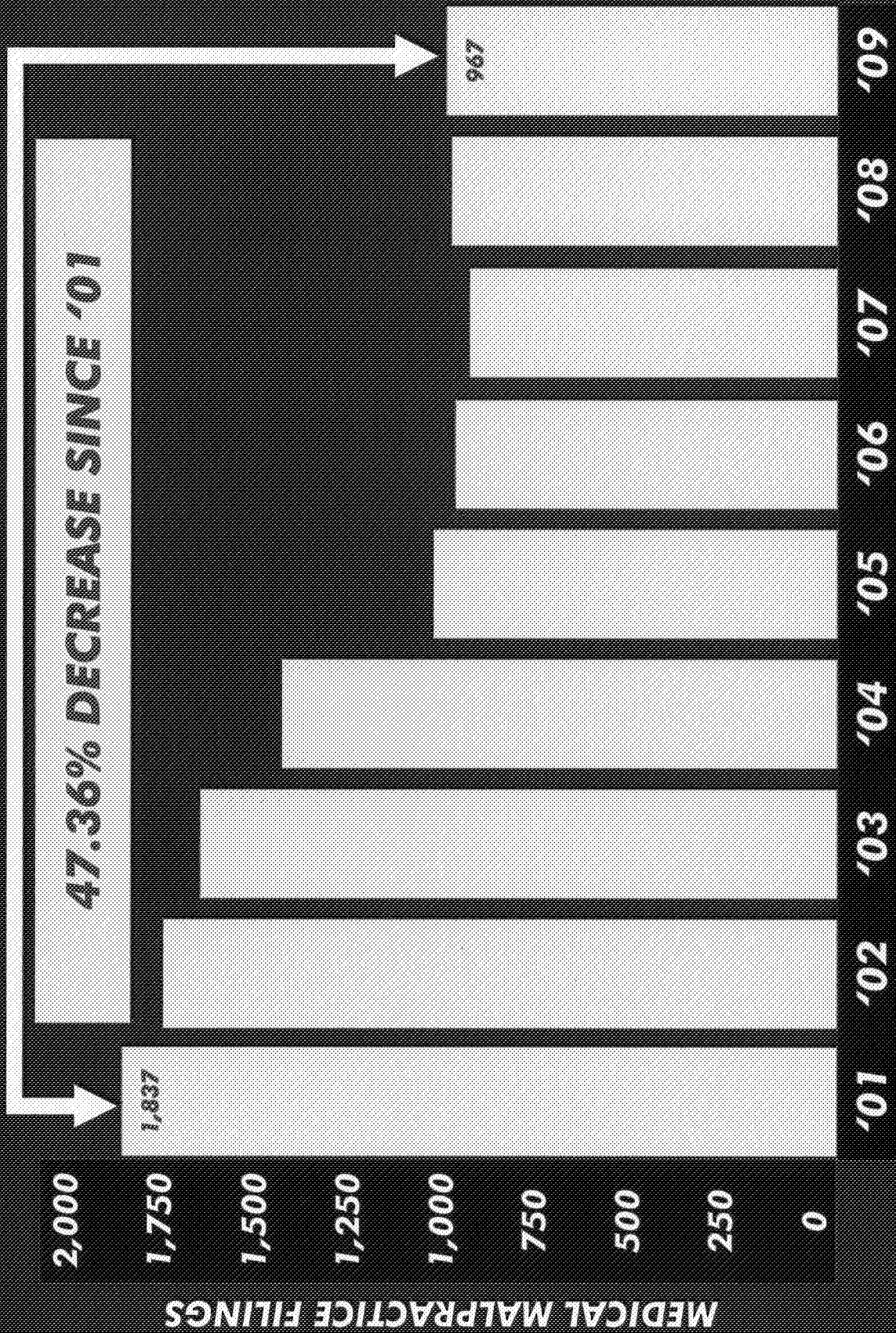
# TOTAL CIVIL FILINGS

TOTAL CIVIL FILINGS (THOUSANDS)  
 -TOTAL FILINGS EXCLUDE FORECLOSURES



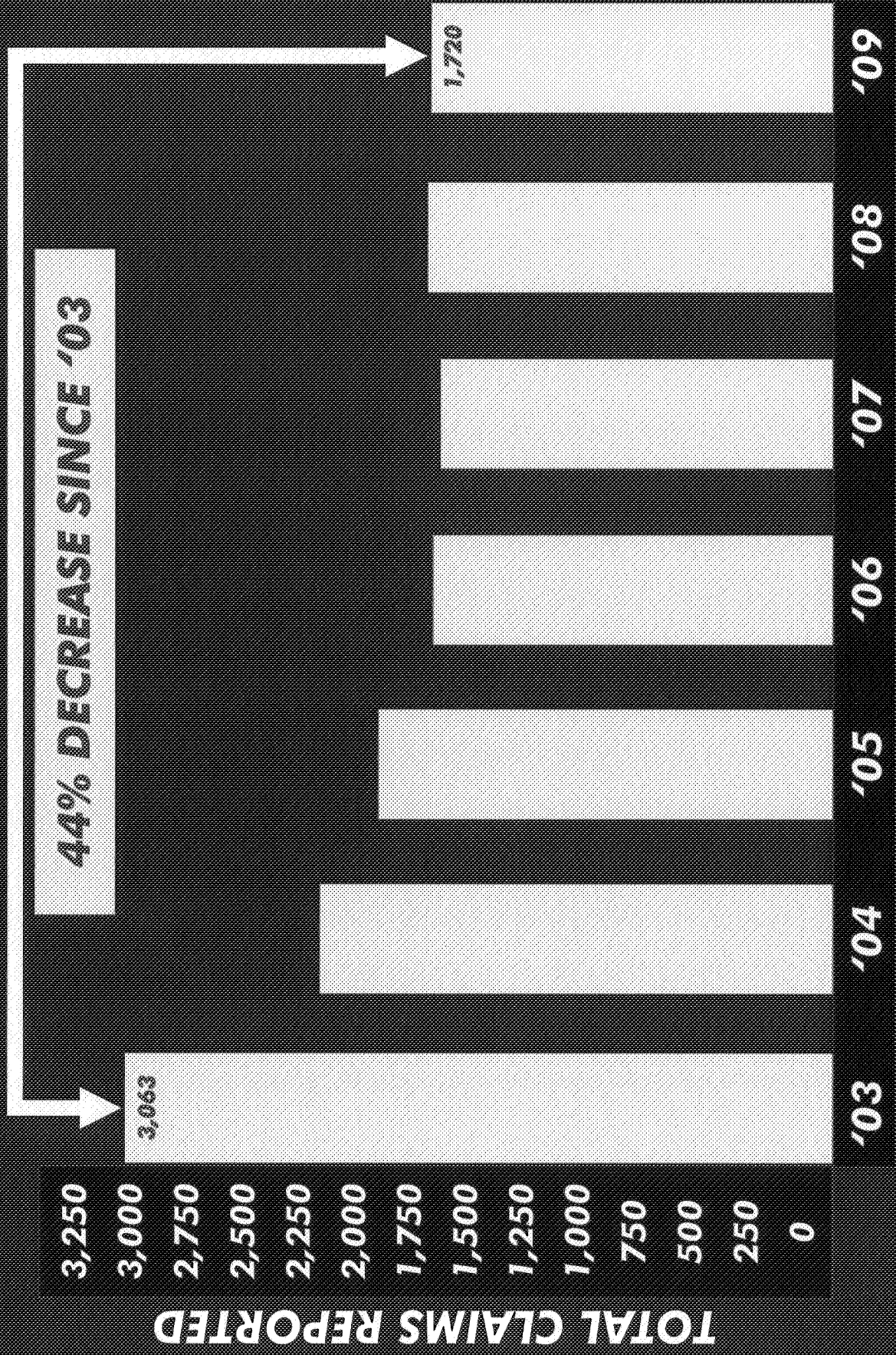
SOURCE: OFFICE OF THE STATE COURT ADMINISTRATOR

# ONLY MEDICAL MALPRACTICE FILINGS



SOURCE: OFFICE OF THE STATE COURT ADMINISTRATOR

# DECREASED FPIC CLAIMS REPORTED



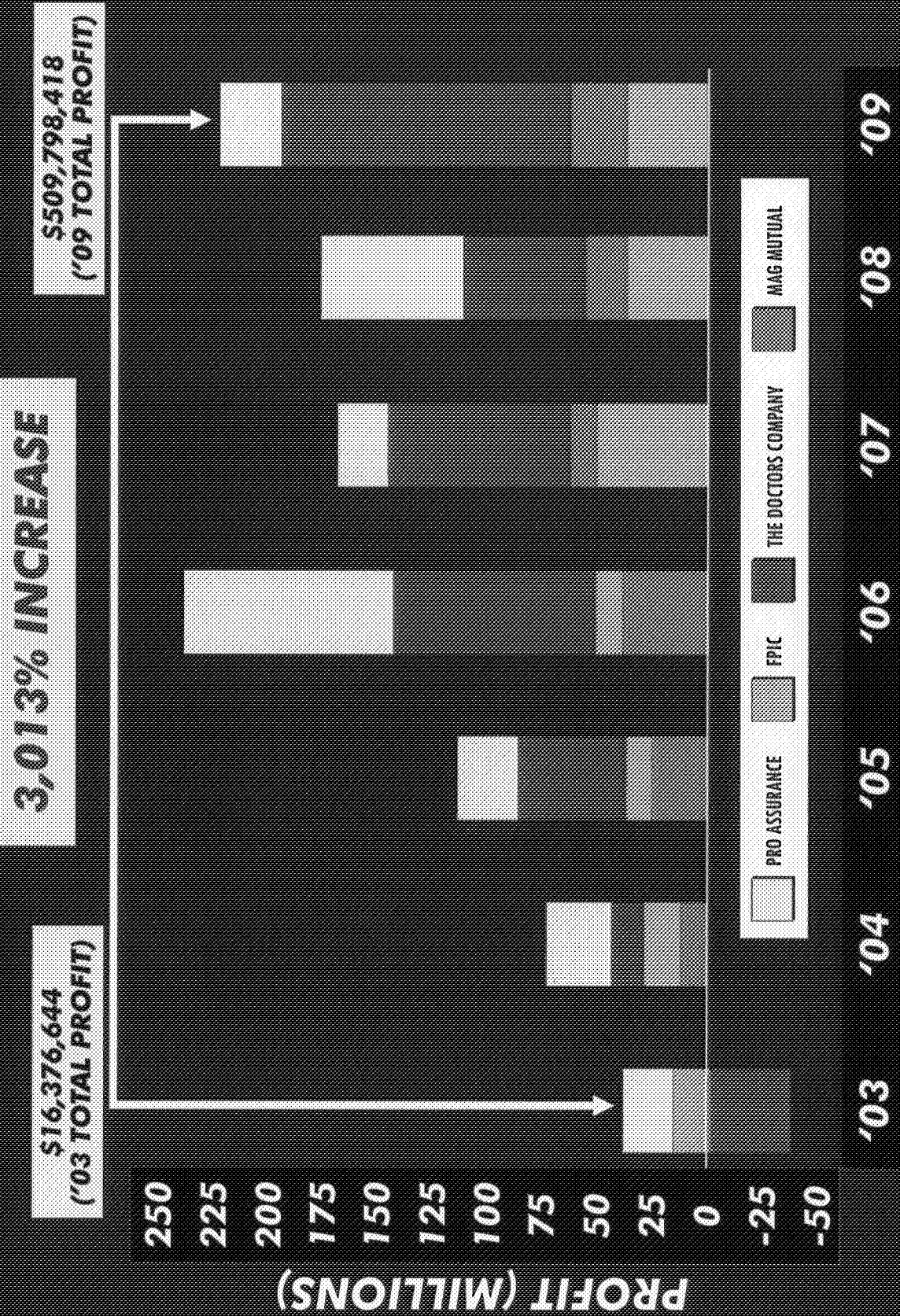
SOURCE: FPIC ANNUAL REPORTS

# **FPIC DECREASED PREMIUMS**

<b>2006</b>	<b>9.2 PERCENT DECREASE</b>
<b>2007</b>	<b>11.7 PERCENT DECREASE</b>
<b>2008</b>	<b>12.0 PERCENT DECREASE</b>

**SOURCE: FPIC ANNUAL REPORTS**

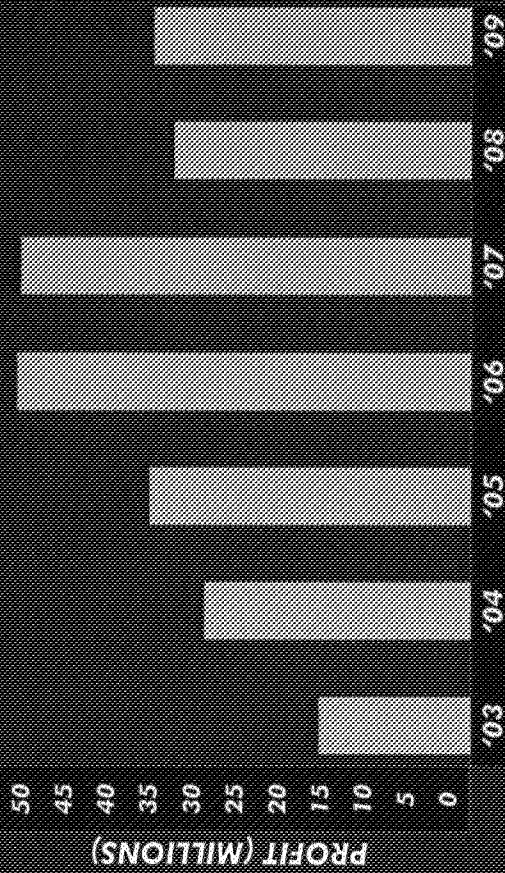
# MEDICAL MALPRACTICE INSURANCE INDUSTRY PROFITS



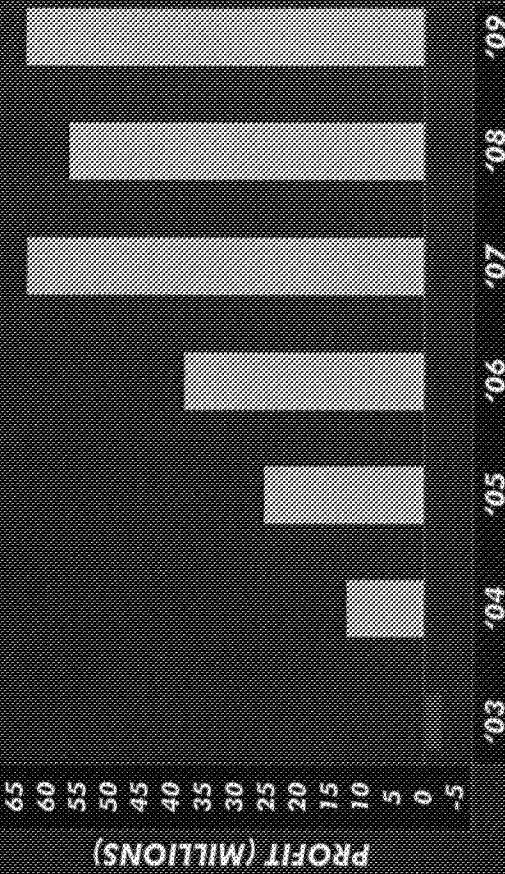
SOURCE: FPIC, MAG MUTUAL, PRO ASSURANCE AND THE DOCTORS COMPANY ANNUAL REPORTS

# INDIVIDUAL MEDICAL MALPRACTICE INSURANCE COMPANY PROFITS

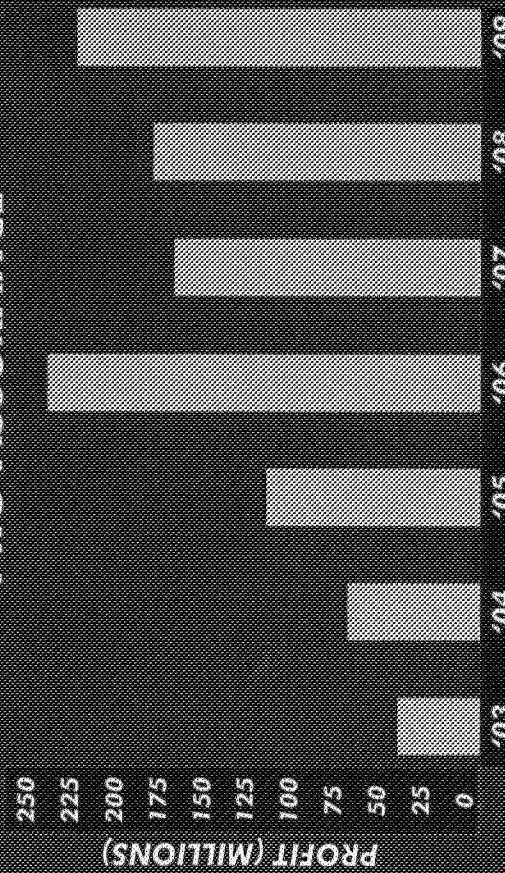
## FPIC



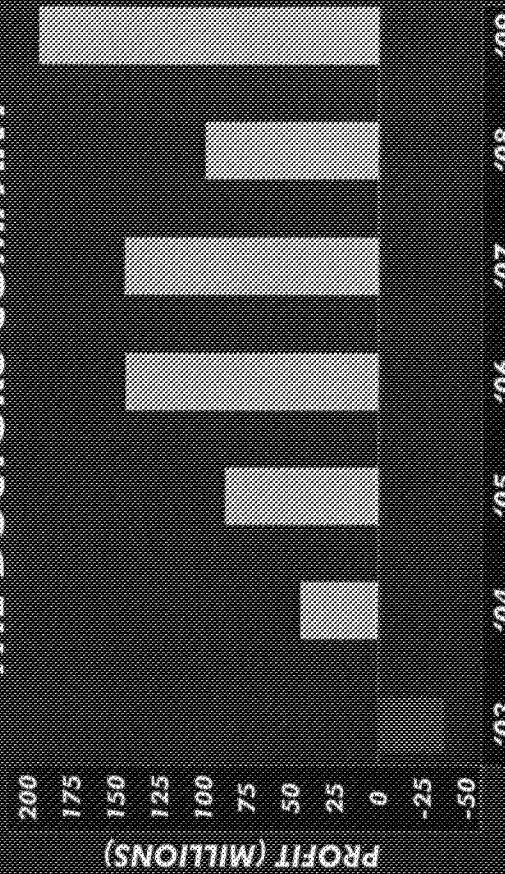
## MAG MUTUAL



## PRO ASSURANCE

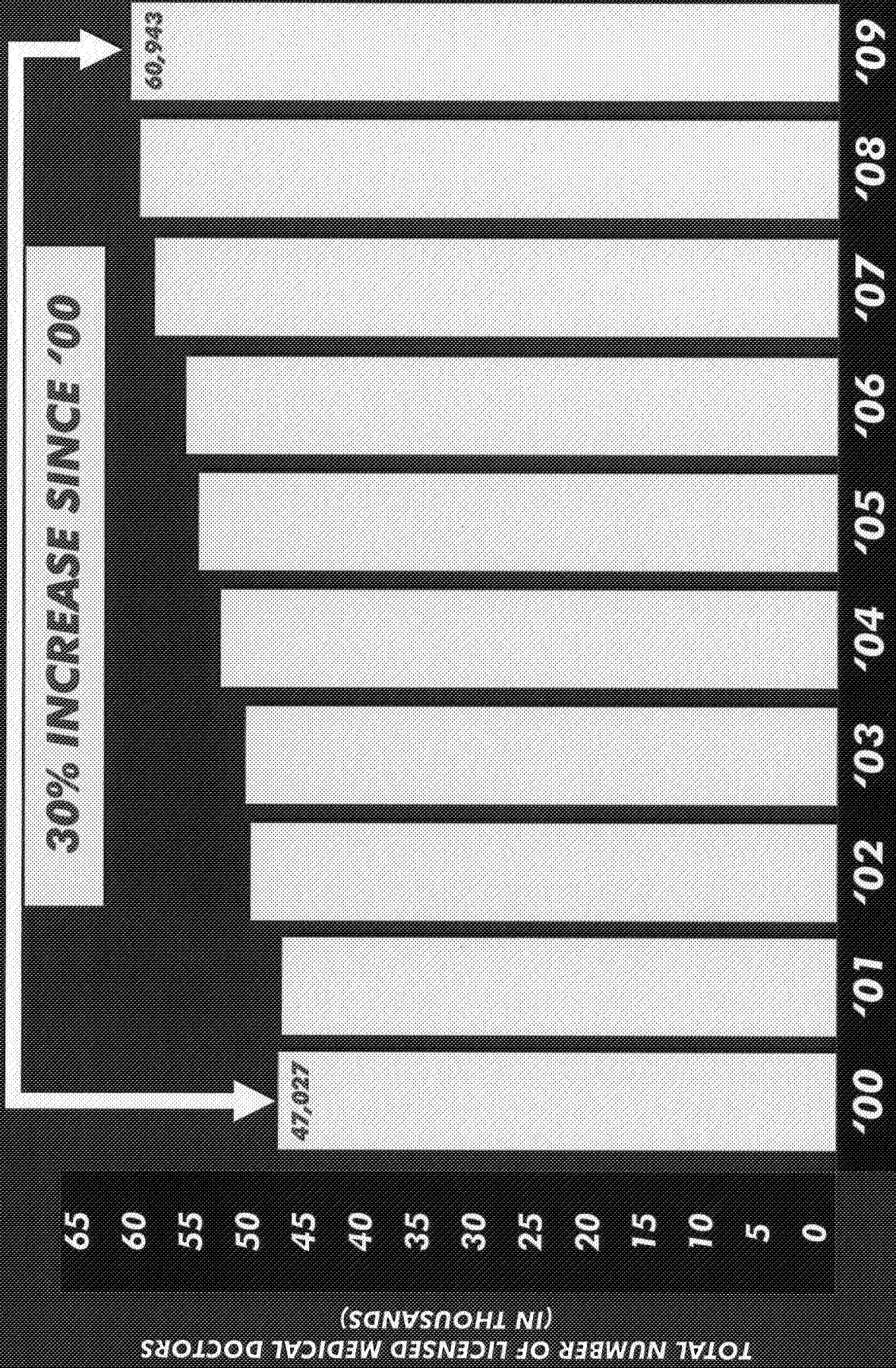


## THE DOCTORS COMPANY



SOURCE: FPIC, MAG MUTUAL, PRO ASSURANCE AND THE DOCTORS COMPANY ANNUAL REPORTS

# INCREASED NUMBER OF MEDICAL DOCTORS IN FLORIDA

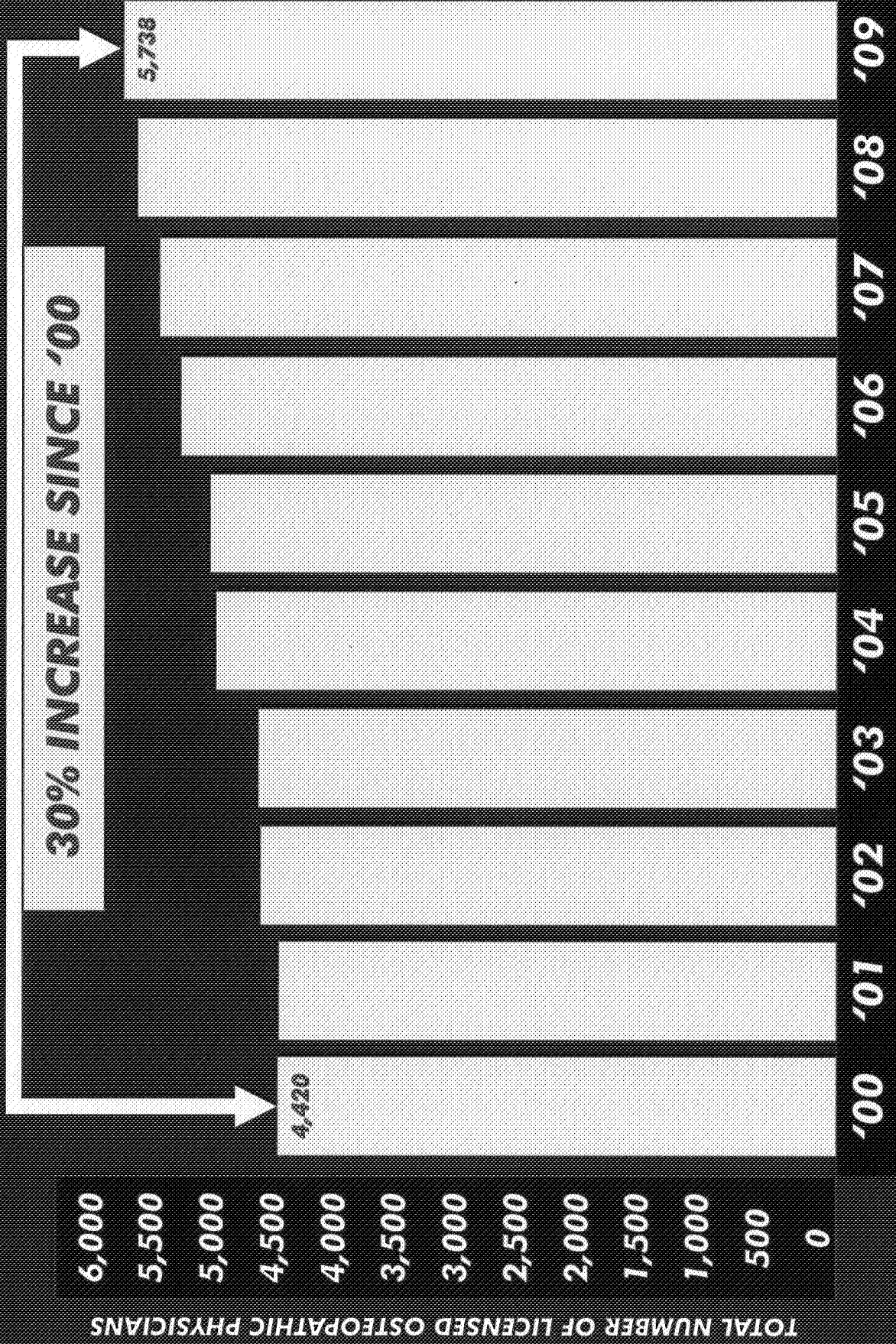


TOTAL NUMBER OF LICENSED MEDICAL DOCTORS  
(IN THOUSANDS)

SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

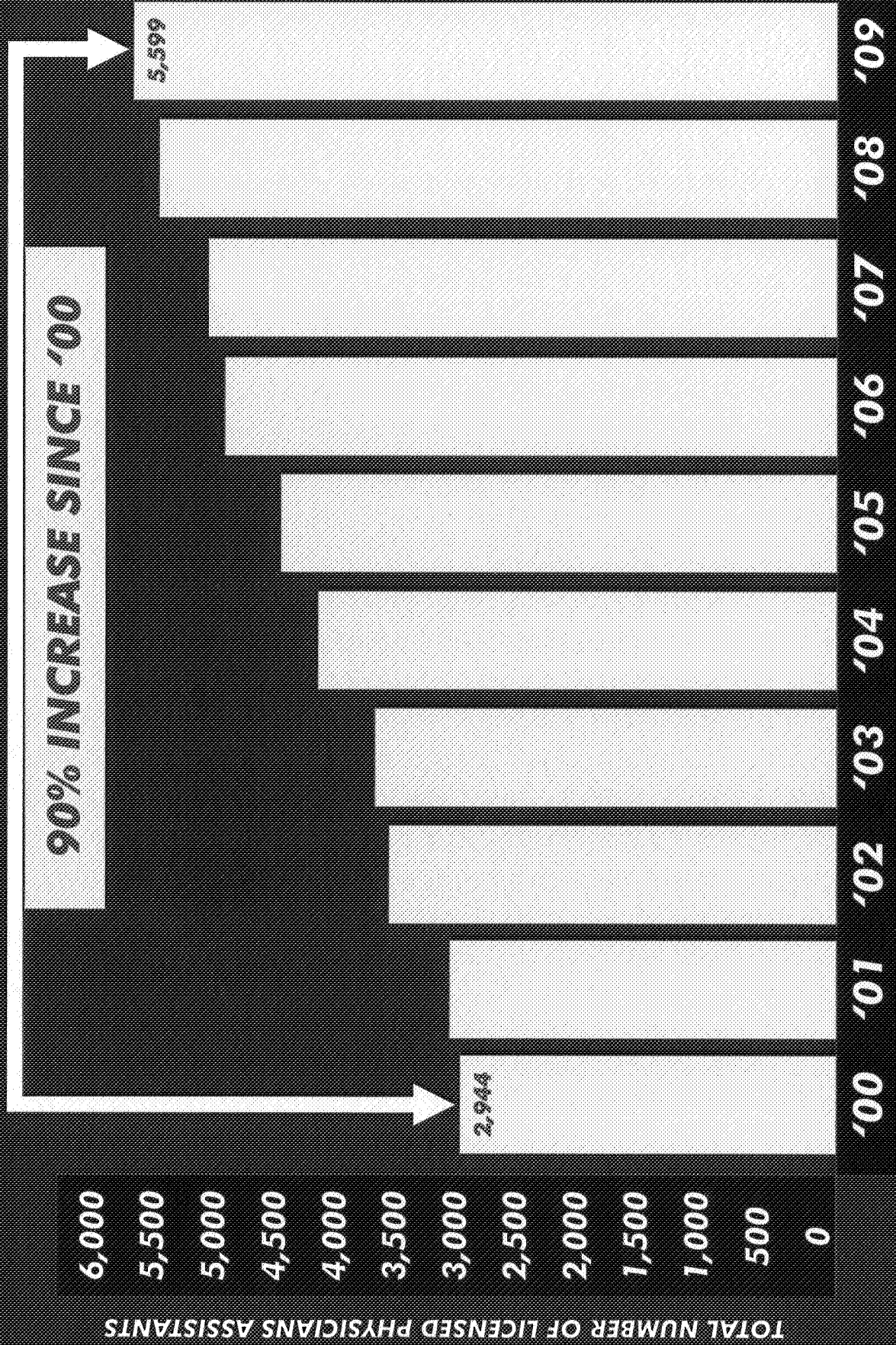


# INCREASED NUMBER OF OSTEOPATHIC PHYSICIANS IN FLORIDA



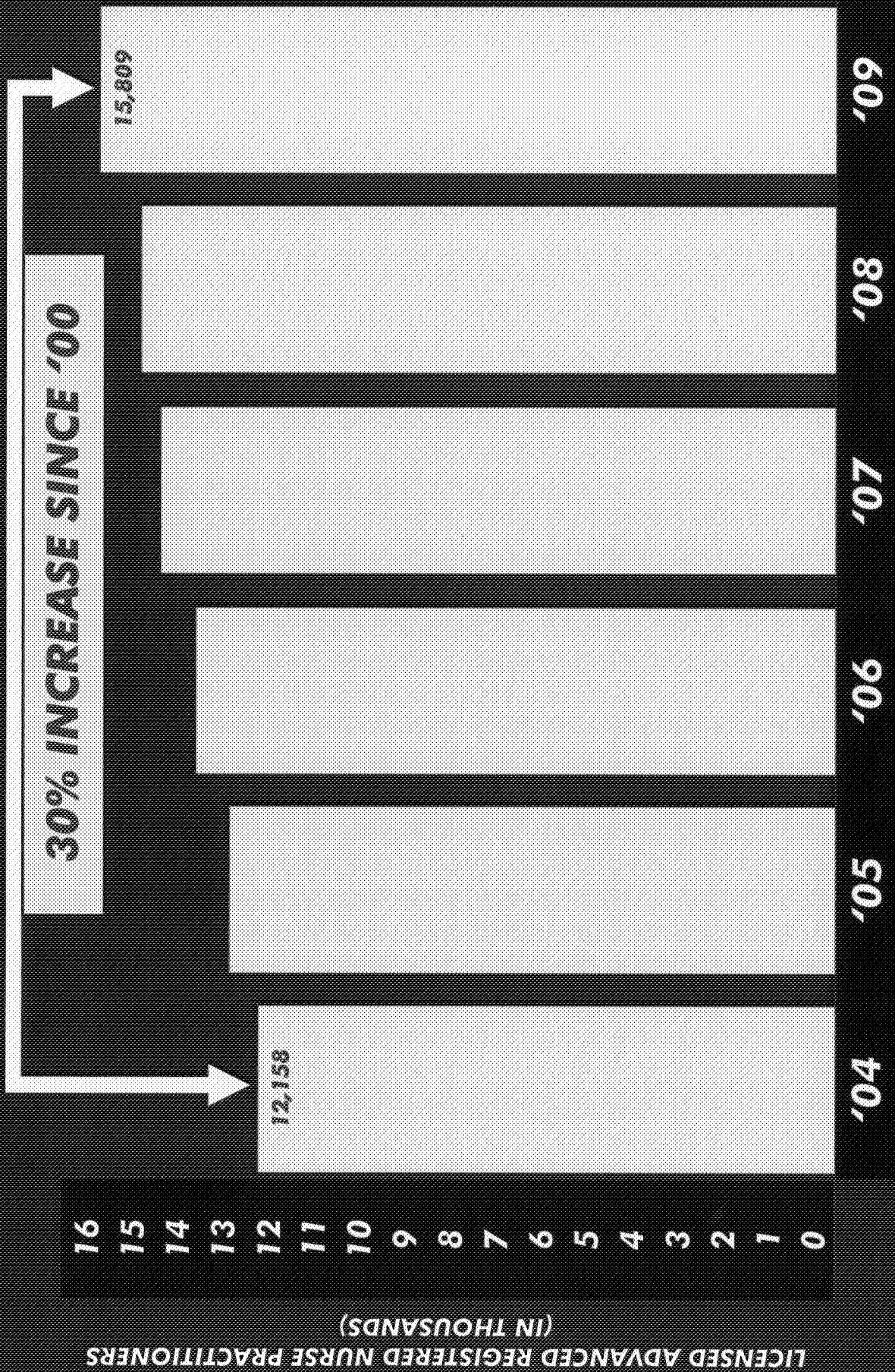
SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

# INCREASED NUMBER OF PHYSICIANS ASSISTANTS IN FLORIDA



SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

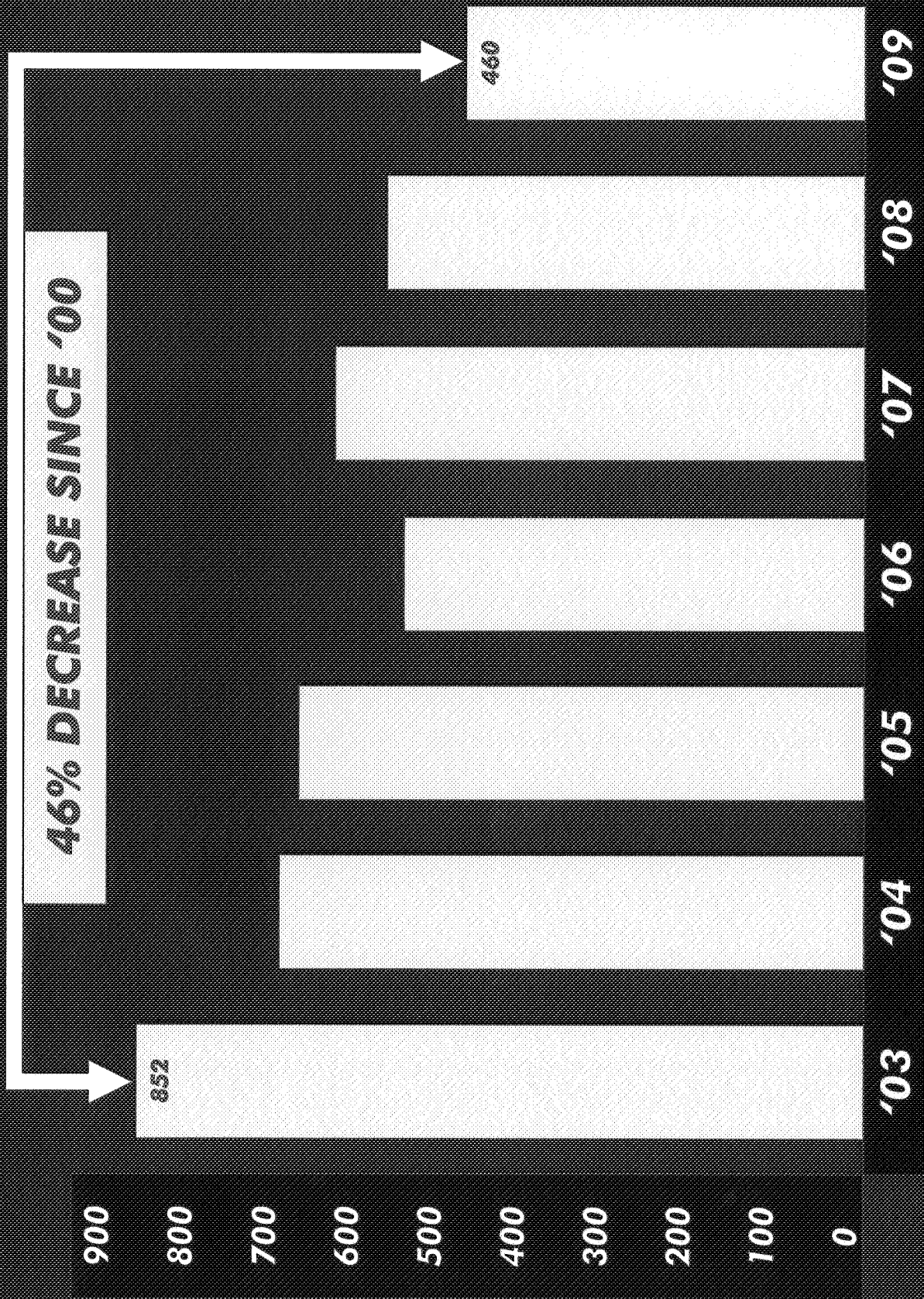
# INCREASED NUMBER OF ADVANCED REGISTERED NURSE PRACTITIONERS IN FLORIDA



LICENSED ADVANCED REGISTERED NURSE PRACTITIONERS  
(IN THOUSANDS)

SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

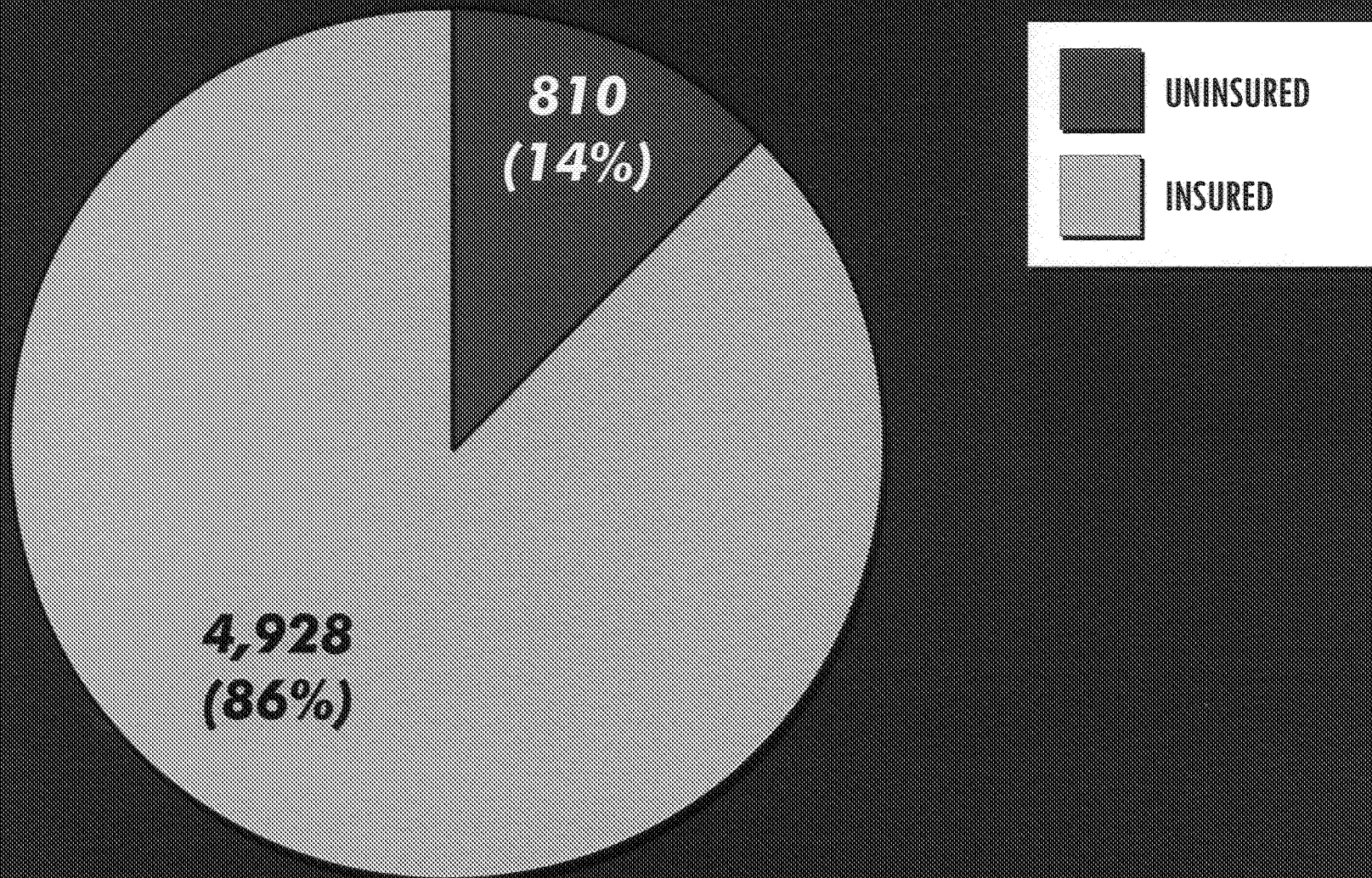
**TOTAL CLAIMS BY OSTEOPATHIC PHYSICIANS AND MEDICAL DOCTORS IN EXCESS OF \$100K**



TOTAL NUMBER OF PAID CLAIMS PAID BY PHYSICIANS LICENSED UNDER CH. 453 AND CH. 459

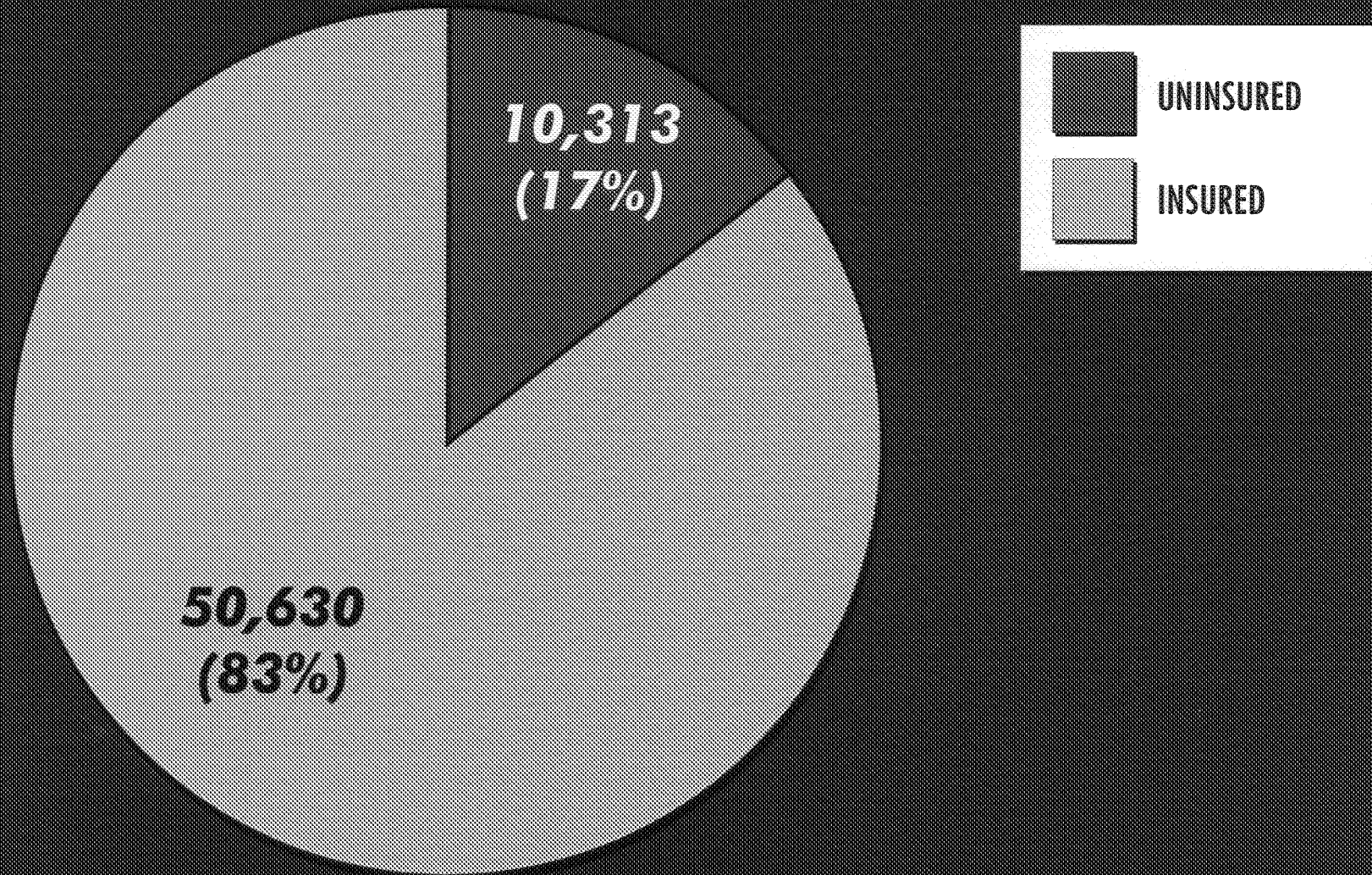
SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

# PERCENTAGE OF UNINSURED OSTEOPATHIC PHYSICIANS IN FLORIDA



SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

# PERCENTAGE OF UNINSURED MEDICAL DOCTORS IN FLORIDA



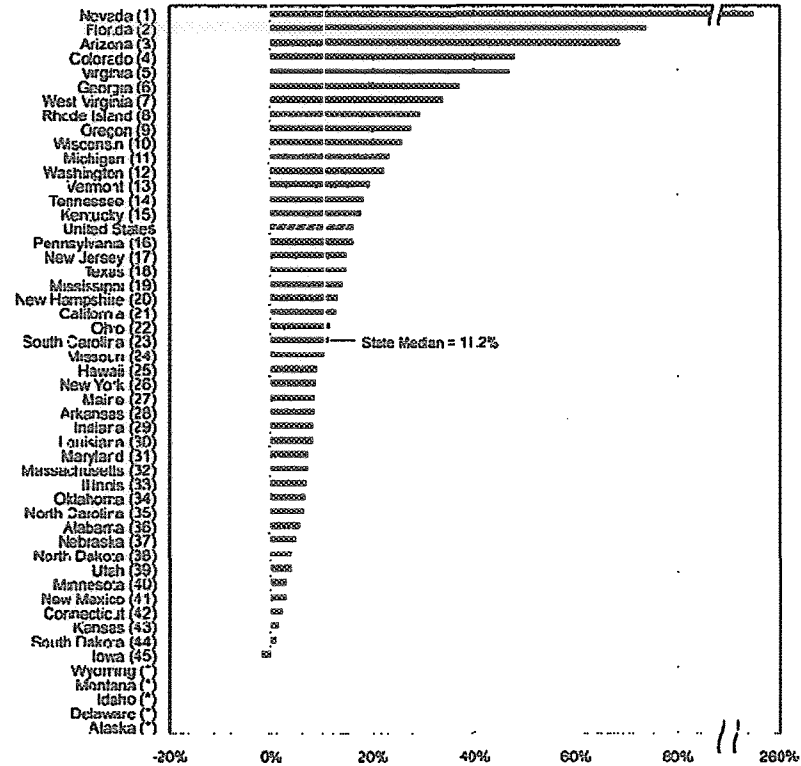
SOURCE: FLORIDA DEPARTMENT OF HEALTH - DIVISION OF MEDICAL QUALITY ASSURANCE

# INCREASED NUMBER OF PHYSICIANS IN FLORIDA



2009 State Physician Workforce Data Book  
Section 2 Medical and Osteopathic School Enrollment

Figure 10. Percentage Change in Students Enrolled in Medical or Osteopathic Schools, 1999-2008



Sources: Medical enrollment data are from the AAMC Data Warehouse STUDENT file as of December 9, 2008, accessed online at <http://www.aamc.org/data/facts/2008/schoolenr0309.htm> (August 12, 2009). Osteopathic enrollment data are from Osteopathic Medical College Information Book: 2010 Entering Class, accessed online at <http://www.aamc.org/data/facts/2008/schoolenr0309.htm> (August 15, 2009). Population estimates are from the U.S. Census Bureau (Release date, December 22, 2008).

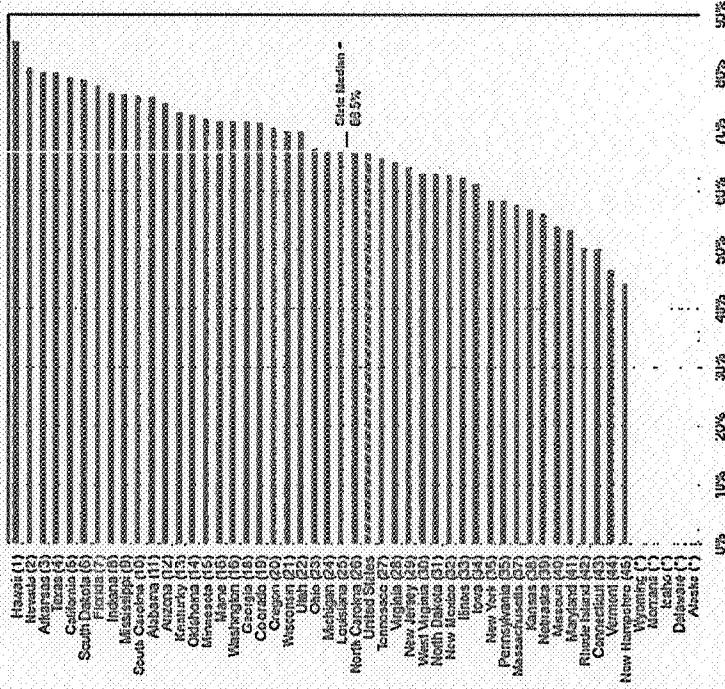
\* State does not have a medical or osteopathic school

# PHYSICIANS RETAINED IN FLORIDA

2009 State Physician Workforce Data Book  
Section 4 Recruitment



Figure 20. Physicians Retained from Undergraduate Medical Education (UMIE) and GMIE Combined



Source: AHA Physician Workforce, December 31, 2009.

\* Data does not have a medical or osteopathic school



# TOTAL ACTIVE PHYSICIANS PER 100,000 PEOPLE

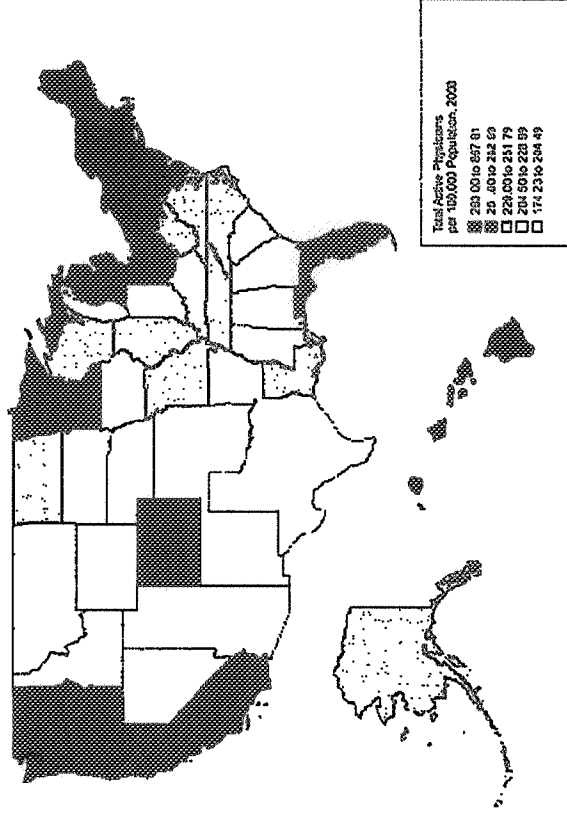
2009 State Physician Workforce Data Book  
Section 1 Physician Supply



## Key Findings – Physician Supply

- In 2008, there were 354.5 active physicians per 100,000 population in the U.S., ranging from a high of 405.4 in Massachusetts to a low of 174.2 in Mississippi. The states with the highest number of physicians per 100,000 population are concentrated in the northeast (see Map 1, Figure 1, and Table 1).

Map 1. Total Active Physicians per 100,000 Population, 2008



Source: July 1, 2008 population estimate, are from the U.S. Census Bureau (Hicare June/December 22, 2007). Physician data are from the AMA Physician Masterfile (December 31, 2008).

# PHYSICIANS RETAINED IN FLORIDA

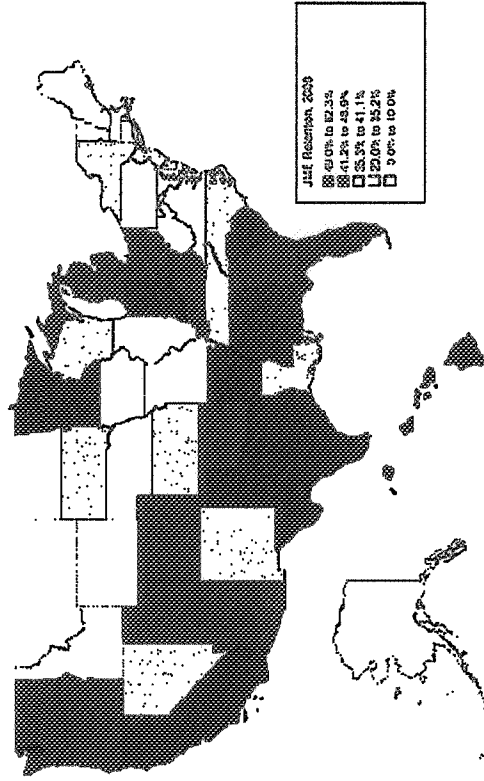
2009 State Physician Workforce Data Book  
Section 4 Retention



## Key Findings – Retention

• Overall, 38.8 percent of medical and osteopathic students and up practicing in the same state where they received their undergraduate medical education (UME). Six of the top 10 states in terms of UME retention were in the South (see Map 10, Figure 17, and Table 17)

Map 10. Percentage of Physicians Retained From UME, 2008



Source: AMA Physician Statefile (see p. 41, 50)

• In 2008, 46.9 percent of the physicians who graduated from a public, medical or osteopathic school were practicing in the state from which they graduated (see Figure 18 and Table 18).