

## CHAPTER 2013-181

### Committee Substitute for Senate Bill No. 1302

An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a temporary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

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

Section 1. Section 458.3137, Florida Statutes, is amended to read:

458.3137 Temporary certificate for visiting physicians to obtain medical privileges for instructional purposes in conjunction with certain plastic surgery or other medical or surgical training programs and plastic surgery educational symposiums.—

(1) A any physician who has been invited by ~~both~~:

(a) A plastic surgery or other medical or surgical training program ~~that is~~ affiliated with a medical school in within this state which that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or which is part of a teaching hospital as defined in s. 408.07; or and

(b) An educational symposium cosponsored by the American Society of Plastic Surgeons, the Plastic Surgery Educational Foundation, ~~or~~ the American Society for Aesthetic Plastic Surgery, or any other medical or surgical society in conjunction with a medical school or teaching hospital as defined in s. 408.07,

may be issued a temporary certificate for limited privileges solely for purposes of providing educational training in plastic surgery or other medical or surgical procedures, as appropriate, in accordance with the restrictions set forth in this section.

(2) A temporary certificate to practice medicine for educational purposes to help teach plastic surgery or other medical or surgical procedures to residents in a training program affiliated with a medical school that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or that is part of a teaching hospital, or to residents of a medical school within this state in conjunction with a nationally sponsored educational symposium or an educational symposium held by a state medical school or teaching hospital, may be issued without examination, upon verification by the board that the individual ~~meets all of~~ the following requirements:

(a) Is a graduate of an accredited medical school or its equivalent or is a graduate of a foreign medical school listed with the World Health Organization.

(b) Holds a valid and unencumbered license to practice medicine in another state or country.

(c) Is a recognized expert in a specific area of plastic surgery or another field of medicine or surgery, as demonstrated by peer-reviewed publications, invited lectureships, and academic affiliations.

(d) Has completed an application form adopted by the board and remitted a nonrefundable application fee not to exceed \$300.

(e) Has not committed an act in this or any other jurisdiction that would constitute a basis for disciplining a physician under s. 456.072 or s. 458.331.

(f) Meets the financial responsibility requirements of s. 458.320(1) or (2).

(g) Is applying only in connection with a training program or an educational symposium as described in subsection (1) both a medical school within this state that is accredited by the Accreditation Council for Graduate Medical Education and an educational symposium sponsored by the American Society of Plastic Surgeons, the Plastic Surgery Educational Foundation, or the American Society for Aesthetic Plastic Surgery.

(3) A temporary certificate issued under this section is valid for up to 5 ~~no more than 3~~ days per year; and such certificate expires 1 year after issuance.

(4) The department may ~~shall~~ not issue more than 12 ~~six~~ temporary certificates for a single educational symposium under this section ~~per~~ calendar year.

(5) In order for a physician who is a graduate of a foreign medical school and holds a valid and unencumbered license to practice medicine in another country but does not hold a license to practice medicine in this or another state to obtain a temporary certificate under this section, the organization sponsoring the educational symposium must pay for any medical judgments incurred by that physician by obtaining a surety bond issued by a surety company authorized to do business in this state, ~~by or~~ establishing a certificate of deposit or a guaranteed letter of credit with a licensed and insured bank or savings institution located in the state, or by providing proof that the physician is covered under a teaching hospital's or medical school's medical malpractice insurance. The amount of the bond, certificate of deposit, or guaranteed letter of credit must ~~shall~~ be at least an amount not less than \$250,000.

(6) A physician applying under this section is exempt from the requirements of ss. 456.039-456.046. All other provisions of chapter 456 and this chapter apply.

(7) The board may ~~shall~~ not issue a temporary certificate for practice to any physician who is under investigation in another jurisdiction for an act that would constitute a violation of this chapter or chapter 456 until such time as the investigation is complete and the physician is found innocent of all charges.

Section 2. This act shall take effect July 1, 2013.

Approved by the Governor June 14, 2013.

Filed in Office Secretary of State June 14, 2013.