

Committee Substitute for Senate Bill No. 2078

An act relating to medical practice; creating s. 458.3137, F.S.; authorizing issuance of temporary certificates for visiting physicians to obtain medical privileges for instructional purposes in conjunction with certain plastic surgery training programs and plastic surgery educational symposiums; providing for issuance of such certificates without examination to applicants who meet specified requirements; specifying the validity period of such certificates; limiting the number of certificates that may be issued per calendar year; providing financial responsibility requirements; providing practice limitations and conditions; prohibiting issuance of a certificate to a physician under investigation for a practice violation in another jurisdiction; providing an effective date.

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

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

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

(1) Any physician who has been invited by both:

(a) A plastic surgery training program that is affiliated with a medical school within this state that is accredited by the Accreditation Council for Graduate Medical Education; 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,

may be issued a temporary certificate for limited privileges solely for purposes of providing educational training in plastic surgery 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 residents of a medical school within this state in conjunction with a nationally sponsored educational symposium 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 as demonstrated by peer-review 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 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 no more than 3 days per year and such certificate expires one year after issuance.

(4) The department shall not issue more than six temporary certificates 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 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. The amount of the bond, certificate of deposit, or guaranteed letter of credit shall be 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 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 upon becoming a law.

Approved by the Governor June 2, 2003.

Filed in Office Secretary of State June 2, 2003.