

**STORAGE NAME:** h0989z.hcl  
**DATE:** June 21, 1999

**\*\*FINAL ACTION\*\***  
**\*\*SEE FINAL ACTION STATUS SECTION\*\***

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
HEALTH CARE LICENSING & REGULATION  
FINAL ANALYSIS**

**BILL #:** HB 989  
**RELATING TO:** Physician Assistants/Licensure  
**SPONSOR(S):** Representative C. Green  
**COMPANION BILL(S):** SB 1500(I)

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) HEALTH CARE LICENSING & REGULATION YEAS 10 NAYS 0
- (2) SENATE HEALTH, AGING, & LONG-TERM CARE (W/D)
- (3)
- (4)
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**I. FINAL ACTION STATUS:**

HB 989 passed the House on April 6, 1999, and was substituted for SB 1500 and passed the Senate on April 29, 1999. It was approved by the Governor on June 17, 1999, and was codified as chapter 99-370, Laws of Florida.

**II. SUMMARY:**

HB 989 allows any student, who completed all coursework requirements of the physician assistant program offered through the Florida College of Physician's Assistants prior to its closure in August of 1996, to sit for the special physician assistant exam developed by the department.

Prior to taking the exam, such applicant must successfully complete any clinical rotations that were not completed prior to termination of the program and any additional clinical rotations, not to exceed 6 months, as determined necessary by the Council of Physician Assistants.

The Boards of Medicine and Osteopathic Medicine will determine, based on recommendations from the Physicians Assistant Council, the facilities where such clinical rotations may be completed, and what constitutes successful completion. Such requirements shall be comparable to those established by accredited physician assistant programs.

This special provision for taking the exam is repealed July 1, 2001.

According to the Department of Health, this bill will have no fiscal impact on the state, local government, or the private sector in general. There will be a cost of \$550 per student for each exam taken. The maximum number of students eligible for this provision is estimated at 40.

### III. SUBSTANTIVE ANALYSIS:

#### A. PRESENT SITUATION:

Currently, ss. 458.347 and 459.022, Florida Statutes, establish the requirements for physician assistants to become licensed in Florida. It requires an applicant to complete an accredited physician assistant program and achieve national certification by passage of a national examination.

Section 458.347(7), Florida Statutes, contains a special provision that was added in 1991 for a select group of foreign-licensed physicians who applied during the period July 1, 1990 and June 30, 1991. The original intent was to allow this select group to take the national examination given to applicants who had graduated from an accredited physician assistant program. However, the national group refused to allow them to take the national examination. In approximately 1995, the Agency for Health Care Administration (predecessor of the Department of Health), was authorized to develop, and translate into the native language of an applicant if requested, an examination for this group of individuals. The department was originally authorized to give this examination five times at one year intervals. However, in 1998, the Legislature modified the examination to delete the clinical portion as a separate examination. Based on this change, the Board of Medicine interpreted the law to authorized five additional examinations. As of March, 1999, the revised examination has been given one time. There are 4 remaining times for the examination to be given. According to the department, an examination is scheduled for August of 1999, and a tentative examination is scheduled for November, 2000.

An unaccredited physician assistant program was offered at the former Florida College of Physician's Assistants prior to its closure in August of 1996. A number of students signed up and attended the courses based on the promise that the program would become accredited, thus qualifying them to sit for the national certification examination. According to information provided by the State Board of Independent Colleges and Universities (Department of Education), the program taught at the school was comparable to an accredited program. It was their opinion that the area that resulted in lack of accreditation was administration not the academic program. They attempted to get other schools to take over the program, or allow the students to finish their courses at an accredited school, but with no success. A number of the students had not completed the entire program, including clinical rotations.

They estimated that a total of 40 students enrolled in the program; the number could be lowered to approximately 25 if provisions are made for the first two classes. They recommend the students be allowed to take the physician assistant exam developed by the department. After four more tests, the program will be discontinued. As noted earlier, the national physician assistant association does not recognize this exam and any students who pass the Florida developed exam will only be recognized to practice in Florida.

#### B. EFFECT OF PROPOSED CHANGES:

It allows any student who completed all coursework requirements of the physician assistant program offered through the Florida College of Physician's Assistants prior to its closure in August of 1996, to sit for the special physician assistant exam developed by the department.

Prior to taking the exam, such applicant must successfully complete any clinical rotations that were not completed prior to termination of the program and any additional clinical rotations, not to exceed 6 months, determined necessary by the Council of Physician Assistants.

The Boards of Medicine and Osteopathic Medicine will determine, based on recommendations from the council, the facilities where such clinical rotations may be completed, and what constitutes successful completion. Such requirements shall be comparable to those established by accredited physician assistant programs.

This special provision for taking the examination is repealed July 1, 2001.

**C. APPLICATION OF PRINCIPLES:**

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

There is no specific rulemaking authority granted.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

It allows approximately 40 physician assistant students to take the physician assistant exam developed by the Department of Health for a select group of foreign-licensed physicians.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Section 458.347(7), Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 458.347(7), Florida Statutes, to allow any student who completed all coursework requirements of the physician assistant program offered through the Florida College of Physician's Assistants prior to its closure in August of 1996, to sit for the special physician assistant exam developed by the department.

Prior to taking the exam, such applicant must successfully complete any clinical rotations that were not completed prior to termination of the program and any additional clinical rotations, not to exceed 6 months, as determined necessary by the Council of Physician Assistants.

The Boards of Medicine and Osteopathic Medicine shall determine, based on recommendations from the Council, the facilities where such clinical rotations may be completed, and what constitutes successful completion. Such requirements shall be comparable to those established by accredited physician assistant programs.

This special provision for taking the exam is repealed July 1, 2001.

Section 2. Provides an effective date of July 1, 1999.

FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

F. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

1999-00                      2000-01

EXPENDITURES:

Department of Health

Application processing expense	\$16,000	\$ 8,000
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Examination Expenditures	<u>6,000</u>	<u>3,000</u>
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	\$22,000	\$11,000
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REVENUES:

Department of Health

Application Fee (\$400)	\$16,000	\$ 8,000
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Examination Fee (\$150)	<u>6,000</u>	<u>3,000</u>
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	\$22,000	\$11,000
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3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

EXPENDITURES:

Department of Health

	\$22,000	\$11,000
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REVENUES:

Department of Health

	\$22,000	\$11,000
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G. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

H. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

The costs (\$550 each) of taking up to two exams will be borne by a very small group of individuals (up to 40). An indeterminate amount may be expended to complete any necessary clinical rotations.

2. Direct Private Sector Benefits:

A very small group of individuals will be allowed to take the physician assistant exam two times.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

I. FISCAL COMMENTS:

According to the Department of Health, there will be no additional costs to the department from giving the examination.

The costs will be borne by the applicants. The total costs per applicant will be \$550 (\$400 for the application, and \$150 for the exam). They estimate 40 applicants for the August, 1999 exam, and 20 applicants for the November, 2000 exam. Total additional fees for 1999-2000 will be \$22,000 and \$11,000 for 2000-2001. Additional costs, if any, to complete the required clinical rotations is indeterminate at this time.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

The Council on Physician Assistants has not taken a position on this bill. The bill will be discussed at the March 26, 1999 meeting of the council. The Florida Academy of Physician Assistants, while concerned about the plight of these students, does not support the bill. In correspondence from the State Board of Independent Colleges and Universities, the associate director stated they supported the idea of allowing these students to take the exam developed by the department.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

**COMMITTEE ON HEALTH CARE LICENSING & REGULATION:**

Prepared by:

Staff Director:

Robert W. Coggins

Lucretia Shaw Collins

**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON HEALTH CARE LICENSING & REGULATION:**

Prepared by:

Staff Director:

Robert W. Coggins

Lucretia Shaw Collins