

Bill No. SB 770

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Proposed Committee Substitute by the Committee on Health  
Regulation

1                                   A bill to be entitled

2           An act relating to the physician workforce;

3           creating s. 381.4018, F.S.; providing

4           legislative intent; creating the Office of

5           Physician Workforce Assessment and Development

6           within the Division of Health Access and

7           Tobacco of the Department of Health; requiring

8           that the office serve as a coordinating and

9           planning body to assess the state's future

10          workforce needs for physicians; requiring the

11          office to develop strategies for addressing the

12          current and projected workforce needs;

13          specifying additional functions of the office;

14          requiring each allopathic and osteopathic

15          physician in the state to complete a survey

16          concerning the physician's practice as a

17          condition of license renewal; specifying the

18          information to be furnished to the Department

19          of Health in the physician survey; providing

20          for a nondisciplinary citation to be issued to

21          a physician or osteopathic physician who fails

22          to complete the required survey; requiring the

23          department to provide notice of the applicable

24          penalty; requiring the Office of Physician

25          Workforce Assessment and Development to

26          annually analyze and evaluate the results of

27          the survey; requiring the office to report its

28          findings to the Governor and the Legislature;

29          creating an advisory council within the

30          Department of Health to assist the department

31          with respect to physician workforce issues;

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1 providing for the membership of the advisory  
 2 council and terms of office; providing for  
 3 members of the council to be reimbursed for  
 4 travel and per diem expenses; providing an  
 5 effective date.

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9 Section 1. Section 318.4018, Florida Statutes, is  
10 created to read:

11 381.4018 Physician workforce assessment and  
12 development.--

13 (1) LEGISLATIVE INTENT.--The Legislature recognizes  
 14 that physician workforce planning is an essential component of  
 15 ensuring that there is an adequate and appropriate supply of  
 16 well-trained physicians to meet this state's future health  
 17 care service needs as the general population and elderly  
 18 population of the state increase. The Legislature finds that  
 19 items to consider relative to assessing the physician  
 20 workforce may include physician practice status; specialty  
 21 mix; geographic distribution; demographic information,  
 22 including, but not limited to, age, gender, race, and cultural  
 23 considerations; and needs of current or projected medically  
 24 underserved areas in the state. Long-term strategic planning  
 25 is essential as the period from the time a medical student  
 26 enters medical school to completion of graduate medical  
 27 education may range from 7 to 10 years or longer. The  
 28 Legislature recognizes that strategies to provide for a  
 29 well-trained supply of physicians must include ensuring the  
 30 availability and capacity of quality graduate medical schools  
 31 in this state, as well as using new or existing state and

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1 federal programs providing incentives for physicians to  
2 practice in needed specialties and in underserved areas in a  
3 manner that addresses projected needs for physician manpower.

4 (2) PURPOSE.--The Office of Physician Workforce  
5 Assessment and Development is created within the Division of  
6 Health Access and Tobacco of the Department of Health and  
7 shall serve as a coordinating and strategic planning body to  
8 actively assess the state's current and future physician  
9 workforce needs and work with multiple stakeholders to develop  
10 strategies and alternatives to address current and projected  
11 physician workforce needs.

12 (3) GENERAL FUNCTIONS.--The Office of Physician  
13 Workforce Assessment and Development shall maximize the use of  
14 existing programs under the jurisdiction of the department and  
15 other state agencies and coordinate governmental and  
16 nongovernmental stakeholders and resources in order to develop  
17 a state strategic plan and assess the implementation of such  
18 strategic plan. In developing the state strategic plan, the  
19 office shall:

20 (a) Monitor, evaluate, and report on the supply and  
21 distribution of physicians licensed under chapter 458 or  
22 chapter 459. The department shall maintain a database to serve  
23 as the official statewide source of valid, objective, and  
24 reliable data concerning the physician workforce.

25 (b) Develop a model and quantify, on an ongoing basis,  
26 the adequacy of the state's current and future physician  
27 workforce as reliable data becomes available. Such model must  
28 take into account demographics, physician practice status,  
29 place of education and training, generational changes,  
30 population growth, economic indicators, and issues concerning  
31 the "pipeline" into medical education.

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1           (c) Develop and recommend strategies to determine  
2 whether the number of qualified medical school applicants who  
3 might become competent, practicing physicians in this state  
4 will be sufficient to meet the capacity of the state's medical  
5 schools. If appropriate, the Office of Physician Workforce  
6 Assessment and Development shall, working with representatives  
7 of appropriate governmental and nongovernmental entities,  
8 develop strategies and recommendations and identify  
9 best-practice programs that introduce health care as a  
10 profession and strengthen skills needed for medical school  
11 admission for elementary, middle, and high school students,  
12 and improve premedical education at the precollege and college  
13 level in order to increase this state's potential pool of  
14 medical students.

15           (d) Develop strategies to ensure that the number of  
16 graduates from the state's public and private allopathic and  
17 osteopathic medical schools are adequate to meet physician  
18 workforce needs, based on the analysis of the physician  
19 workforce data, and develop strategies to ensure that the  
20 state's medical schools are adequately funded so as to provide  
21 a high-quality medical education to students in a manner that  
22 recognizes the uniqueness of each new and existing medical  
23 school in this state.

24           (e) Pursue strategies and policies to create, expand,  
25 and maintain graduate medical education positions in the state  
26 based on the analysis of the physician workforce data. Such  
27 strategies and policies must take into account the effect of  
28 federal funding limitations on the expansion and creation of  
29 positions in graduate medical education. The office shall  
30 develop options to address such federal funding limitations.  
31 The office shall consider options to provide direct state

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1 funding for graduate medical education positions in a manner  
2 that addresses requirements and needs relative to  
3 accreditation of graduate medical education programs. The  
4 office shall consider funding residency positions as a means  
5 of addressing needed physician specialty areas, rural areas  
6 having a shortage of physicians, and areas of ongoing critical  
7 need, and as a means of addressing the state's physician  
8 workforce needs based on an ongoing analysis of physician  
9 workforce data.

10       (f) Develop strategies to maximize federal and state  
11 programs that provide for the use of incentives to attract  
12 physicians to this state or retain physicians within the  
13 state. Such strategies should explore and maximize  
14 federal-state partnerships that provide incentives for  
15 physicians to practice in federally designated shortage areas.  
16 Strategies shall also consider the use of state programs, such  
17 as the Florida Health Service Corps established pursuant to s.  
18 381.0302 and the Medical Education Reimbursement and Loan  
19 Repayment Program pursuant to s. 1009.65, which provide for  
20 education loan repayment or loan forgiveness and provide  
21 monetary incentives for physicians to relocate to underserved  
22 areas of the state.

23       (g) Coordinate and enhance activities relative to  
24 physician workforce needs, undergraduate medical education,  
25 and graduate medical education provided by the Division of  
26 Medical Quality Assurance, the Community Hospital Education  
27 Program and the Graduate Medical Education Committee  
28 established pursuant to s. 381.0403, area health education  
29 center networks established pursuant to s. 381.0402, and other  
30 offices and programs within the Department of Health as  
31 designated by the secretary.

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1           (h) Work in conjunction with and act as a coordinating  
2 body for governmental and nongovernmental stakeholders to  
3 address matters relating to the state's physician workforce  
4 assessment and development for the purpose of ensuring an  
5 adequate supply of well-trained physicians to meet the state's  
6 future needs. Such governmental stakeholders shall include,  
7 but need not be limited to, the Secretary of Health or his or  
8 her designee, the Commissioner of Education or his or her  
9 designee, the Secretary of Health Care Administration or his  
10 or her designee, and the Chancellor of the State University  
11 System or his or her designee from the Board of Governors of  
12 the State University System, and, at the discretion of the  
13 department, other representatives of state and local agencies  
14 that are involved in assessing, educating, or training the  
15 state's current or future physicians. Other stakeholders shall  
16 include, but need not be limited to, organizations  
17 representing the state's public and private allopathic and  
18 osteopathic medical schools; organizations representing  
19 hospitals and other institutions providing health care,  
20 particularly those that have an interest in providing  
21 accredited medical education and graduate medical education to  
22 medical students and medical residents; organizations  
23 representing allopathic and osteopathic practicing physicians;  
24 and, at the discretion of the department, representatives of  
25 other organizations or entities involved in assessing,  
26 educating, or training the state's current or future  
27 physicians.

28           (i) Serve as a liaison with other states and federal  
29 agencies and programs in order to enhance resources available  
30 to the state's physician workforce and medical education  
31 continuum.

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1           (j) Act as a clearinghouse for collecting and  
2 disseminating information concerning the physician workforce  
3 and medical education continuum in this state.

4           Section 2. (1) Each person who applies for licensure  
5 renewal as a physician under chapter 458 or chapter 459,  
6 Florida Statutes, must, in conjunction with the renewal of  
7 such license under procedures adopted by the Department of  
8 Health and in addition to any other information that may be  
9 required from the applicant, furnish the following information  
10 to the Department of Health in a physician survey:

11  
12                   1. Did you practice allopathic or  
13 osteopathic medicine at any time during the  
14 last year in Florida?

15                           2. Are you:

16                                   a. A solo practice.

17                                   b. A group practice.

18                                   c. Employed by a hospital.

19                                   d. Employed by another entity.

20                                   e. None of the above.

21                   3. How many months during the year do you  
22 practice in Florida?

23                                   a. None.

24                                   b. 1-4 months.

25                                   c. 5-8 months.

26                                   d. 9-12 months.

27                   4. In what Florida counties do you  
28 practice? (You may select up to five counties.)

29                                   a. How many hours each week do you  
30 practice in each county?

31                                   5. Does more than 20 percent of your

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- 1           practice include nonclinical work (research,  
2           teaching, administration)?
- 3           6. Are you a resident or fellow?
- 4           7. What is the primary specialty area(s)  
5           of your current clinical practice? The  
6           respondent may indicate his or her specialty  
7           practice area based on the specialty programs  
8           offered by accredited medical education  
9           programs recognized by the American Osteopathic  
10          Association, its successor, or a similar  
11          national organization, or by the American  
12          College of Graduate Medical Education, its  
13          successor, or a similar national organization.
- 14          8. How many babies have you delivered  
15          during the last year?
- 16               a. I do not deliver babies.  
17               b. 1-10 babies.  
18               c. 11-30 babies.  
19               d. More than 30 babies.
- 20          9. How many diagnostic mammograms have  
21          you read or screened during the last year?
- 22               a. I do not read or screen mammograms.  
23               b. 1-10 mammograms.  
24               c. 11-30 mammograms.  
25               d. More than 30 mammograms.
- 26          10. Do you currently take emergency calls  
27          or otherwise work clinically in a hospital  
28          emergency department or provide for the  
29          immediate, acute care of trauma patients?
- 30          11. For how many hospitals do you  
31          currently take emergency calls?

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a. None.

b. One hospital.

c. More than two hospitals.

12. During the past 2 years has the number of emergency on-call hours that you work in a hospital emergency department:

a. Increased;

b. Decreased; or

c. Remained the same.

13. Do you plan to retire, relocate outside the State of Florida, or significantly reduce the scope of your practice within the next 5 years?

(2)(a) The Department of Health shall issue a nondisciplinary citation to any physician licensed under chapter 458 or chapter 459, Florida Statutes, who fails to complete the survey within 90 days after the renewal of his or her license to practice as a physician.

(b) The citation must notify a physician who fails to complete the survey required by this section that his or her license will not be renewed for any subsequent license renewal unless the physician completes the survey.

(c) In conjunction with issuing the license-renewal notice required by s. 456.038, Florida Statutes, the Department of Health shall notify each physician licensed under 458 or chapter 459, Florida Statutes, who has failed to complete the survey at the licensee's last known address of record with the Department of Health of the requirement that the physician survey be completed prior to the subsequent license renewal. At any subsequent license renewal, the

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1 Department of Health may not renew the license of any  
 2 physician licensed under chapter 458 or chapter 459, Florida  
 3 Statutes, until the survey required under this section is  
 4 completed by the licensee.

5       Section 3. (1) Each year, the Office of Physician  
 6 Workforce Assessment and Development shall analyze the results  
 7 of the physician survey required by section 2 of this act and  
 8 determine by geographic area and specialty the number of  
 9 physicians who:

10           (a) Perform deliveries of children in Florida.

11           (b) Read or screen mammograms in Florida.

12           (c) Perform emergency care on a on-call basis for a  
 13 hospital emergency department.

14           (d) Plan to reduce or increase emergency on-call hours  
 15 in a hospital emergency department.

16           (e) Plan to relocate their allopathic or osteopathic  
 17 practice outside the state.

18       (2) The Office of Workforce Assessment and Development  
 19 must report its findings to the Governor, the President of  
 20 Senate, and the Speaker of the House of Representatives by  
 21 November 1 each year.

22       Section 4. (1) There is created in the Department of  
 23 Health a five-member advisory council on physician workforce  
 24 issues. The council shall review and comment on data analysis  
 25 by the Department of Health for physician workforce issues and  
 26 provide advice and expertise to the department in the  
 27 development of additional issues to be incorporated in the  
 28 survey completed by physicians licensed under chapter 458 or  
 29 chapter 459, Florida Statutes, upon license renewal.

30           (2) The council shall include one representative  
 31 designated by the Florida Medical Association, one

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1 representative designed by the Florida Osteopathic Medical  
2 Association, one representative designated by the Florida  
3 Council of Medical School Deans, one representative designated  
4 by the Florida Area Health Education Network, and one  
5 representative designated by the Florida Hospital Association.

6 (3) Council members shall be appointed to 4-year  
7 terms, but an individual may not serve more than two terms.  
8 Any council member who is unwilling or unable to properly  
9 fulfill the duties of the office shall be succeeded by an  
10 individual chosen by the Secretary of Health to serve out the  
11 unexpired balance of the council member's term. If the  
12 unexpired balance of the replaced council member's term is  
13 less than 18 months, notwithstanding the provisions of this  
14 subsection, the succeeding council member may be reappointed  
15 by the secretary twice.

16 (4) The council shall meet at least two times  
17 annually. Members of the advisory council are entitled to  
18 reimbursement for per diem and travel expenses for required  
19 attendance at council meetings in accordance with s. 112.061,  
20 Florida Statutes.

21 Section 5. This act shall take effect upon becoming a  
22 law.

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