

**MINUTES**  
**BOARD OF OSTEOPATHIC MEDICINE**  
**May 17, 2008**

**The Florida Hotel and Conference Center**  
**1500 Sand Lake Road**  
**Orlando 32809**  
**(407) 859-1500**

**Saturday, May 17, 2008 @ 9:00 am**

Call to Order  
Roll Call

Robert McCann, DO, Chair  
Pamela King, Executive Director

The meeting was called to order by Dr. McCann, Chair, at 9:00 a.m. Those present for all or part of the meeting included the following:

**MEMBERS PRESENT:**

Robert McCann, DO, Chair  
Ronald Burns, DO, Vice Chair  
Robert Fedor, DO  
Tom Najjar- Consumer Member  
Joel Rose, DO

**MEMBERS EXCUSED:**

Richard Rodriguez, DO

**COURT REPORTER:**

**BOARD STAFF PRESENT:**

Pamela King, Executive Director  
Ronda Bryan, Program Administrator  
Tiana Jackson, Compliance Officer

**BOARD COUNSEL:**

Michael Flury, Esquire  
Deborah Loucks, Esquire

**DEPARTMENT OF HEALTH:**

Blake Hunter, Esquire

**OTHERS PRESENT:**

Raymond Pomm, MD – PRN

**APPROVAL OF MINUTES**

**Tab 1 - February 22-23, 2008 Meeting Minutes**

**Action Taken:** Dr. Burns moved to APPROVE the minutes as presented. Dr. Fedor seconded the motion, which passed unanimously.

**PROBATION REVIEW AND APPEARANCES**

**Tab 2 - Ty Anderson, DO – Request to modify supervision practice plan**

The probationer was present and represented by Edwin Bayo, Esquire

Dr. Anderson was appearing before the board to discuss the change in affiliation with his current monitor.

**Action Taken:** After much discussion, Dr. Rose moved to DENY the request until the monitor can appear before the board the probationer for an interview.

It was noted for the record that DEA had reinstated the probationers controlled substance prescribing privileges and that a copy of these documents would be forwarded to the board office.

**Tab 3 - Joseph Deluca, DO – Request for modification of Final Order**

The probationer was present and represented by Edwin Bayo, Esquire

Dr. Deluca appeared before the board to request an extension of time to submitted proof of completion of the USF Distressed Physician Course due to the length of time it took to get enrolled in the course.

**Action Taken:** After discussion, Dr. Rose moved to GRANT the probationer's request for an extension of time to submitted proof that he completed the course. The motion was seconded by Dr. Burns and carried unanimously.

### **MISC. DISCIPLINARY PROCEEDINGS**

#### **Tab 30 - Joseph DeLuca, DO- Case #2005-59975 – Counter Settlement Agreement Offer**

The respondent was present and represented by Edwin Bayo, Esquire. Mr. Hunter presented the case to the board. He noted that the board had rejected a prior settlement agreement and that the respondent was asking for some slight modifications to the board's counter offer.

**Action Taken:** After much discussion, Dr. Rose moved to ACCEPT the counter stipulation with the ability for the respondent to petition for early termination of probation after 18 months. The motion was seconded by Dr. Burns and carried unanimously.

#### **Penalty Imposed:**

- Reprimand
- \$10,000.00 fine
- \$9891.84 in costs
- Probation for 3 years to include indirect monitor, 25% chart review, quarterly reports (monitor and respondent) and triplicate prescription pads – with the ability to petition for early termination after 18 months
- The monitor must be a DO board certified in the same specialty as the respondent and be knowledgeable in the area of pain management
- 50 hours of community service
- Completion of the USF drug course
- Completion of the FMA medical records course
- Practice restriction- Surrender of dispensing status registration during the probationary period

#### **Break**

### **PROBATION REVIEW AND APPEARANCES (cont.)**

#### **Tab 4 - Mark Kantzler, DO – Approval of Monitor**

The probationer was present without counsel. Also present was his potential monitor John B. DeCosmo, D.O. and Dr. Pomm representing PRN.

**Action Taken:** After interviewing Dr. Kantzler and Dr. DeCosmo about their monitoring arrangement, Dr. Burns moved to ACCEPT Dr. Kantzler's appearance and APPROVE Dr. DeCosmo as his monitor. The motion was seconded by Dr. Rose and carried unanimously.

#### **Tab 5 - Thomas Randles, DO- Request for extension of time to pay fines and approval of community service request**

The probationer was present without counsel. Also present was Dr. Pomm representing PRN. Dr. Pomm noted for the record that Dr. Randles was not currently under a PRN contract.

**Action Taken:** After much discussion regarding Dr. Randles request to have his mission work in Africa count towards his community service and his request for more time to pay his fines and costs, Dr. Fedor moved to DENY both requests. The motion was seconded by Dr. Rose and carried unanimously.

## **LICENSURE REACTIVATION APPEARANCES**

### **Tab 7 - Hormoz Saber, DO – Reactivation of a Retire License**

The licensee was present without counsel.

**Action Taken:** After much discussion about Dr. Saber's practice plans, Dr. Fedor moved to GRANT approval of the reactivation. The motion was seconded by Dr. Burns and carried unanimously.

## **NEW DISCIPLINARY CASES**

### **Tab 8 - Larry Perich, DO – Settlement Agreement – Case #2006-33285**

The respondent was present with Bruce Lamb, Esquire. Mr. Hunter represented the department and presented the case to the Board. Allegations of the case were a violation of 456.072(1)(j) and 459.015(1)(aa) inappropriate delegation to unlicensed personnel.

**Action Taken:** After discussion, Dr. Burns moved to ACCEPT the settlement agreement as proposed. Dr. Fedor seconded the motion, the motion FAILED unanimously. After additional discussion, Dr. Rose moved to REJECT the settlement agreement and offer the following reduced counter settlement agreement:

- Letter of concern
- \$5,000 fine
- \$1,121.13 in costs
- Completion of a Laws and Rules course
- 100 hours of community service

Dr. Burns seconded the motion, which passed unanimously.

Both parties accepted the counter offer.

### **Tab 9 - Antonio Ramirez, DO – Settlement Agreement – Case #2006-35409**

The respondent was present with Gary Lewis, Esquire. Dr. Rose was recused due to participation on the probable cause panel. Mr. Hunter represented the department and presented the case to the Board. Allegations of the case were a violation of 459.015(1)(x) practicing below the appropriate standard of care.

**Action Taken:** After discussion, Dr. Burns moved to ACCEPT the settlement agreement as presented:

- Letter of concern
- \$3,500 fine within 2 years
- \$16,671.88 in costs within 2 years
- 5 hours of continuing education in post operative complications

The motion was seconded by Dr. Fedor and carried unanimously.

### **Tab 10 - John Russell, DO – Settlement Agreement – Case #2001-13952**

The respondent was present with Timothy Schoenwalder, Esquire. Mr. Hunter represented the department and presented the case to the Board. Allegations of the case were violations of 459.015(1)(x) practicing below the appropriate standard of care; (459.015(1) (t) inappropriate prescribing of controlled substances; and (o) failure to maintain adequate medical records.

**Action Taken:** After discussion, Dr. Burns moved to ACCEPT the settlement agreement as presented:

- Reprimand
- \$2,000 fine within 30 days
- \$3,000 in costs within 30 days
- USF Drug course
- FMA Recordkeeping course
- 150 hours of community service.

The motion was seconded by Dr. Fedor and carried unanimously.

**Tab 11 - Alan Saltzman, DO – Settlement Agreement – Case #2002-18529, 2002-18568, 2002-19000, 2004-32147, 2002-22892 and 2004-07845**

The respondent was not present or represented by counsel. Ms. King advised that Dr. Saltzman had submitted a request for continuance due to his current hospitalization.

**Action Taken:** After discussion, Dr. Burns moved to waive Dr. Saltzman's appearance and hear the case. The motion was seconded by Dr. Rose and carried unanimously.

Mr. Hunter represented the department and presented the case to the Board. Allegations of the case were six violations of 459.015(1) (t) inappropriate prescribing of controlled substances; and (o) failure to maintain adequate medical records.

**Action Taken:** After discussion, Dr. Fedor moved to ACCEPT the settlement agreement as presented:

- Reprimand
- \$45,000 fine within 66 months
- \$26,338.97 in costs within 66 months
- USF Drug course within 1 year
- FMA Recordkeeping course
- 150 hours of community service
- 6 months suspension
- 5 years probations with terms to be set by the board after suspension is completed

The motion was seconded by Dr. Burns and carried unanimously.

**Tab 12 - Eric Scott Seiger, DO – Settlement Agreement – Case #2007-10068**

The respondent was present and represented by Edwin Bayo, Esquire. Mr. Hunter presented the case to the Board. Allegations of the case were six violations of 459.015(1)(c) being convicted of a crime related to the practice of medicine; and (b) having a license disciplined by another jurisdiction.

**Action Taken:** After discussion, Dr. Rose moved to ACCEPT the settlement agreement as presented:

- Letter of concern
- \$3,500 fine within 30 days
- \$701.91 in costs within 30 days
- Restriction from prescribing drugs not approved by the FDA for the purpose intended

The motion was seconded by Dr. Burns and carried unanimously.

**Tab 13 - Mari K. Thomas, DO – Settlement Agreement – Case #2005-70754**

The respondent was present and represented by Steven Wenzel, Esquire. Dr. Rose was recused due to participation on the probable cause panel. Mr. Hunter presented the case to the Board. Allegations of the case were violations of 459.015(1)(hh) failing to supervise an ARNP appropriately; (aa) inappropriate delegation of authority; (ee) pre-signing of prescriptions; and (o) failing to maintain appropriate medical records.

**Action Taken:** After discussion, Dr. Burns moved to ACCEPT the settlement agreement as presented:

- Letter of concern
- \$3,500 fine
- \$14,000 in costs to be paid in monthly increments of \$750 until fine and costs are paid in full
- 5 hours of CME in ethics within 1 year
- Completion of a Laws and Rules course within 1 year
- USF Drug course within 1 year

The motion was seconded by Dr. Fedor and carried unanimously.

**Tab 14 - Jeffrey D. Blodgett, DO- Motion for Determination of Waiver – Case #2006-12446**

The respondent was not present or represented by counsel. Dr. Rose was recused due to participation on the probable cause panel. Mr. Hunter presented the case to the Board. Allegations of the case were violations of 459.015(1)(b) having a license disciplined by another jurisdiction.

**Action Taken:** After discussion, Dr. Burns moved to find the respondent in default of returning an election of rights. The motion was seconded by Dr. Fedor and carried unanimously.

**Action Taken:** After discussion, Dr. Fedor moved to adopt the findings of fact as presented in the case. The motion was seconded by Dr. Burns and carried unanimously

**Action Taken:** After discussion, Dr. Fedor moved to adopt the conclusions of law as presented in the case and the materials into evidence. The motion was seconded by Dr. Burns and carried unanimously.

**Action Taken:** After further discussion, Dr. Fedor moved to adopt the Department's recommended penalty of:

- Reprimand
- \$5,000 fine within 30 days
- \$531.85 in costs within 30 days
- Suspension of licensure until appearing before the board to demonstrate the ability to practice with skill and safety.

The motion was seconded by Dr. Burns and carried unanimously.

**Tab 15 - Floyd Pettycrew, DO – Voluntary Relinquishment – Case #2007-23229**

The respondent was not present or represented by counsel. Dr. Rose was recused due to participation on the probable cause panel. Mr. Hunter presented the case to the Board. Allegations of the case were violations of 456.072(1)(w) failing to comply with the requirements for profiling.

**Action Taken:** After discussion, Dr. Fedor moved to accept the voluntary relinquishment of licensure. The motion was seconded by Dr. Burns and carried unanimously.

**MISC. DISCIPLINARY PROCEEDINGS (cont.)**

**Tabs 28 & 29 - Richard Allen Hill, DO – Case #2006-06296 & 2005-62336 - Motion to Vacate Final Order**

The respondent was not present by represented by Edwin Bayo, Esquire. Mr. Hunter presented the issue to the Board. He noted that that respondent had appealed the Final Order of the Board. He also advised that the Department was asking the Board to vacate its initial order to allow them to plead the case before the Department of Administrative Hearings rather than going through the appeals process.

**Action Taken:** After much discussion, Dr. Rose moved to vacate the boards order. The motion was seconded by Dr. Burns and carried unanimously.

**LICENSURE APPEARANCES**

**Tab 17 - Thomas A. Hitchcock, DO**

The applicant was present without counsel. Dr. Hitchcock was required to appear before the Board to discuss his inaccurate response on the application for licensure.

**Action Taken:** After interviewing the applicant, Dr. Fedor moved to approve the application for licensure upon receipt of a corrected application. Dr. Burns seconded the motion, which passed unanimously.

**Tab 18 - Julio Montejo, DO**

The applicant was present without counsel. Dr. Montejo was required to appear before the Board to discuss his prior misdemeanor charge.

**Action Taken:** After interviewing the applicant, Dr. Fedor moved to approve the application for licensure. Dr. Rose seconded the motion, which passed unanimously.

**Tab 19 - Lorna B. Peterson, DO**

The applicant was present without counsel. Dr. Peterson was required to appear before the Board to discuss her medical condition and residency training.

**Action Taken:** After interviewing the applicant, Dr. Rose moved to approve the application for licensure. Dr. Fedor seconded the motion, which passed unanimously.

**PROBATION REVIEW AND APPEARANCES (cont.)**

**Tab 6 - Mitchell Wick, DO**

The probationer was present and represented by Stephen Ballinger, Esquire. Also present were James Anliot, Esquire from Affiliated Monitoring and Raymond Pomm, M.D. from PRN.

Dr. Wick was asked to appear before the board to discuss his request to retake the SPEX examination and the discrepancies in his monitor report. He indicated that he would be willing to undergo a new evaluation by PRN and to refrain from practice until the evaluation can be completed.

**Action Taken:** After much discussion, Dr. Rose moved to allow Dr. Wick to retake the SPEX examination; undergo a re-evaluation by PRN; and have affiliated monitors and PRN assist him in finding a re-training opportunity with the stipulation that he agrees to not work until the PRN evaluation is completed. The motion was seconded by Dr. Burn and carried unanimously.

**LICENSURE APPEARANCES (cont.)**

**Tab 21 - Michael D. White, DO**

The applicant was present without counsel. Dr. White was required to appear before the Board to discuss his prior misdemeanor charge.

**Action Taken:** After interviewing the applicant, Dr. Rose moved to approve the application for licensure. Dr. Burns seconded the motion, which passed unanimously.

**Tab 31 - Veronica L. Schimp, DO**

The applicant was present without counsel. Dr. Schimp was required to appear before the Board to discuss her residency training.

**Action Taken:** After interviewing the applicant, Dr. Burns moved to approve the application for licensure. Dr. Rose seconded the motion, which passed unanimously.

**Tab 16 - James D. Bise, DO**

The applicant was not present or represented by counsel.

**Action Taken:** After much discussion, Dr. Fedor moved to table the application until the next meeting of the board and to have notification of the meeting sent certified mail. Dr. Rose seconded the motion, which passed unanimously.

**PHYSICIAN IN TRAINING APPLICANT APPEARANCES**

**Tab 22 - Juliana Rodrigues, DO**

The applicant was present without counsel. Dr. Rodrigues was required to appear before the Board to discuss her medical condition and residency training.

**Action Taken:** After interviewing the applicant, Dr. Rose moved to approve the application for licensure. Dr. Burns seconded the motion, which passed unanimously.

## **LICENSURE APPEARANCES (cont.)**

### **Tab 20 - Kenneth Savage, DO**

The applicant was not present or represented by counsel.

**Action Taken:** After much discussion, Dr. Rose moved to table the application until the next meeting of the board. Dr. Burns seconded the motion, which passed unanimously.

## **REPORTS**

### **BOARD CHAIRMAN'S REPORT – Robert McCann, DO – No report**

### **BOARD COUNSEL REPORT – Michael Flury and Deborah Loucks, Esquire**

#### **Tab 32 - May 2008 Rules Report**

Mr. Flury updated the Board on the status of the following rules and requested action where appropriate.

#### **Tab 33 - Additional Rules Discussion: 64B15-6.0035 – PA Licensure Renewal and Reactivation – Informational Only**

#### **Tab 34 - Additional Rules Discussion – 64B15-19.002 – Violations and Penalties**

Mr. Flury advised the board that he and Ms. Loucks were working on the board's request for language regarding restitution to patients when appropriate. He noted that the board would need to request development of their violation and penalty rules to implement those changes.

**Action Taken:** After discussion, Dr. Burns moved to notice rule 64B15-19.002 for rule development. The motion was seconded by Dr. Rose and carried unanimously.

## **EXECUTIVE DIRECTOR'S REPORT – Pamela King**

**Tab 35 - FSMB Annual Report Overview** – Ms. King advised that the FSMB Annual Disciplinary report had been released and that based on the report it appears board is acting sufficiently in matters related to discipline and licensure.

**No Tab - Renewal and Physician Workforce Survey Update** – Ms. King updated the board on the success of the on-line renewal process. She also noted that we had a higher percentage of physicians renew their licenses this period than last period. Ms. King also updated the board on the workforce survey that was sent out with the renewal this year. She noted that approximately 400 physicians that renewed their license did not submit their survey. Ms. King advised that Dr. McCann had sent out a letter to those physicians asking them to complete the survey as soon as possible.

## **LEGISLATIVE UPDATE AND SUMMARY**

### **No Tab - 2008 Legislative Overview – Pamela King**

Ms. King provided the board with an overview of 2008 legislation. **See Attachment A**

## **REVIEW OF EXPERT WITNESS APPLICATIONS**

### **Tab 36 - Application for Gregory W. Fuller, DO**

**Action Taken:** After review of the application, Dr. Rose moved to table the application until the next meeting, when additional information could be provided on Dr. Fuller's current practice. The motion was seconded by Dr. Fedor and carried unanimously.

## **GENERAL BUSINESS / CORRESPONDENCE**

### **No Tab - FSMB Annual Meeting Update- Ronald Burns, DO**

Dr. Burns asked that the Board acknowledge the passing of Dr. Morton Morris through a moment of silence. He then thanked the board for allowing him the opportunity to represent them at the Federation of State Medical Board meeting. He recognized Ms. King for being elected as the new president of the Administrators in Medicine (AIM). Then he provided an overview of the information he received at the FSMB meeting.

### **No Tab - AAOE Meeting Update – Ronald Burns, DO**

Dr. Burns asked that the Board acknowledge the illness of Dr. Jim Andriole through a moment of silence. He noted that Dr. Andriole is the current AAOE president, but could not be at the meeting due to his illness. Then he provided an overview of the information he received at the AAOE meeting.

### **Tab 23 - Proposed Rule 64B-3.006- Diagnostic Testing**

Ms. King advised the board that the Department was seeking their input in the final development of their diagnostic testing rule.

**Action Taken:** After much discussion, it was the consensus of the Board to recommend adding Surface EMG into the rule language as a procedure not medically necessary.

### **Tab 24 - Board of Pharmacy Correspondence Re: Negative Drug Formulary**

Ms. King advised that on January 28, 2008, the Division of Administrative Hearings entered a summary final order in favor of Mylan Pharmaceuticals, Inc., in case number 07-3704RX, Mylan Pharmaceuticals, Inc. vs. Department of Health, Board of Medicine and Board of Pharmacy and Abbott Laboratories to remove Levothyroxine Sodium from the Florida Negative Drug Formulary. As a result of this summary final order, the Board of Pharmacy voted, at its April 8-9, 2008 board meeting, to remove Levothyroxine Sodium from the Florida Negative Drug Formulary.

The Board asked staff to make certain that the information is posted on the website.

### **Tab 25 - Correspondence Re: Retail Clinics**

Ms. King advised that several entities had joined together to reiterate their concern with inappropriate practice in certain medical facilities. After discussion, the consensus of the Board was to forward the letter to the Department of Health's compliant unit for investigation.

### **Tab 26 - Attorney General's Office Opinion Re: Sunshine & Public Records Laws**

Mr. Flury noted that the Attorney General had issued an opinion that internet blogs and e-mail were subject to the public records laws.

### **Tab 37 - Staff Clarification Request – Approval of Payment Plans for Citations**

Ms. King requested the Board provide guidance on how they would like for the Compliance Management Unit to handle requests for payment plans or additional time to make required payments for citations.

**Action Taken:** After much discussion, the board table the issue until additional information could be provided on how other boards were handling this situation and information on the cost associated with diverting from the current citation guidelines.

## **RATIFICATION OF LICENSES ISSUED**

### **Tab 27 - Ratification of Licenses Issued through 4/22/2008**

**Action Taken:** Dr. Rose moved to approve the list as presented. Dr. Burns seconded the motion, which passed unanimously.

## **APPROVAL OF VOLUNTARY RELINQUISHMENTS**

### **Tab 38 - Licensees Seeking Relinquishment with No Pending Discipline**

**Action Taken:** Dr. Rose moved to approve the list as presented. Dr. Fedor seconded the motion, which passed unanimously.

## **BUDGET OVERVIEW**

### **Tab 39 - 2007-2008 Spending Plan Overview**

Ms. King provided an update on the spending plan and her work on next year's spending plan.

## **COUNCIL ON PHYSICIAN ASSISTANTS REPORT – Ronald Burns, DO**

Dr. Burns provided an overview of the April 3<sup>rd</sup> meeting of the Council on Physician Assistants.

## **ANESTHESIOLOGIST ASSISTANT COMMITTEE REPORT – Ronald Burns, DO**

No Report

## **NEW BUSINESS**

**Board Chair Award –** Dr. Rose requested the Board to consider renaming the Board Chair Award the Morton J. Morris Board of Osteopathic Medicine Award.

**Action Taken:** After much discussion, Dr. Burns moved to develop a new award to be given in honor of Dr. Morris that recognized individuals with superior ethics and professionalism related to Osteopathic Medicine. The motion was seconded by Dr. Fedor and carried unanimously.

**The meeting recessed at 4:30 p.m.**

## ATTACHMENT A

### Board of Osteopathic Medicine 2008 Legislative Summary

**Note: These Bills are NOT effective until reviewed and signed by the Governor.**

Bill	Title
607	<b>Orthotics and Prosthetics</b> – This bill is a major revision to the orthotist and prosthetist practice act. It changes the composition of the Board of Orthotists and Prosthetists; provides for registration for a resident to practice orthotics or prosthetics; and revises duties that can be delegated to unlicensed support personnel.
646	<b>HIV/AIDS Educational Requirements</b> - This bill reduces the HIV/AIDS education requirements for employees and clients of certain licensed facilities from a biennial requirement to a one-time course requirement.
686	<b>Nursing Facilities</b> – This bill allows all licensed nursing facilities to offer certified nursing assistant (CNA) training; it eliminates the requirement that a nursing facility notify the Agency for Health Care Administration (Agency) within one business day after that facility’s risk manager has received a report of an incident that will be investigated to determine whether it is an adverse incident. .
704	<b>Administrative Procedures Act</b> - The bill revises the APA with regard to material incorporated by reference, including electronic filing and hyperlinks, specific approvals by the agency head, unadopted rules, procedures involving a JAPC objection to a rule, raising the attorneys fee cap to \$50,000, stays of administrative proceedings pending rulemaking, and proceedings involving disputed issues of material fact that arise after the beginning of a hearing. It appropriates nonrecurring sums to the Records Management Trust Fund and authorizes a one year increase in the space rate charge for publication in the FAW. Except for hyperlinks, effective date is July 1, 2008.
736	<b>Clinical Nurse Specialists</b> - The bill allows an applicant to submit proof, including an affidavit affirming 1,000 hours of clinical experience and completion of a master’s degree as a Clinical Nurse Specialist (CNS), in the event that no national certification is available in the clinical specialty in order to be certified as a CNS.
989	<b>Physician Assistant Formulary</b> - This bill removes the restriction that prohibits a physician assistant (PA) from prescribing antipsychotics and parenteral medications.
1360	<b>Pharmacy Technicians</b> - This bill revises the requirements regarding the date of passage of the NAPLEX exam for licensure of pharmacists by endorsement. It requires pharmacy technicians to register with the Board of Pharmacy (board) and provides registration requirements. It also exempts pharmacy technician students and pharmacy interns from registering as pharmacy technicians. It requires the board to approved pharmacy technician training programs.
1488	<b>Health Care Consumer – Right to Know</b> - The bill requires a health care provider or health care facility (as defined in the Florida Patient’s Bill of Rights and Responsibilities) to automatically furnish a reasonable estimate of charges to any scheduled non-emergency medical service to an uninsured patient; automatically furnish information on a facility’s discount or charity policies to uninsured patients that may be eligible.

1648	<b>HIV/AIDS Testing</b> - The bill modifies three of the exceptions to the requirement that informed consent be obtained from a person before an HIV test is performed on the person. The three exceptions that are modified in the bill relate to cases in which a significant exposure to the HIV has occurred involving medical and non-medical personnel providing treatment, assistance, or care. The bill authorizes HIV testing without consent, if consent cannot be timely obtained or if the individual who is the source of the significant exposure is incapable of providing consent.
1694	<b>Emergency Dispatchers</b> - This bill requires the Department of Health (the department) to establish by rule educational and training criteria for certification and recertification of 911 emergency dispatchers. This bill also requires applicants who desire to be certified or recertified to have completed an appropriate training program, outlines and clarifies renewal procedures, provides for inactivation and reactivation, and specifies what fees may be charged.
2366	<b>Medical Faculty Certificate</b> - This section adds Florida International University and the University of Central Florida to the current list of 5 Florida medical teaching institutions where an unlicensed physician may be authorized to practice medicine in conjunction with a full time-faculty appointment.
2598	<b>Impaired Medical Practitioner Programs</b> - This bill amends provisions governing treatment programs for impaired healthcare practitioners. It specifies that the Department of Health (DOH) may retain an entity with a medical director, and allows the expansion of the program to include the treatment of impaired students studying for licensure as physicians, physician assistants, nurses or pharmacists. The consultant and others retained to provide impaired practitioner services are considered agents of DOH with sovereign immunity and the Department of Financial Services will defend the consultant, officers, or employees if there is a claim or cause of action as a result of the performance of duties under contract with DOH or with to any other state agency that may retain the services of the DOH consultant. The bill specifies provisions that must be included in the contract between DOH and the consultant.
2654	<b>Window of Opportunity Act</b> - This bill requires large group health insurance plans to provide coverage for diagnostic screening, intervention, and treatment of autism spectrum disorder in children through speech therapy, occupational therapy, physical therapy, applied behavior analysis, treatment by a psychiatrist, psychologist, or a board certified behavioral analyst, and any other necessary medical care. Health insurance plans may not deny, refuse to issue or reissue coverage, terminate, or restrict coverage because an individual is diagnosed with autism spectrum disorder.
7049	<b>Drugs, Devices, and Cosmetics</b> – The bill significantly reorganizes the DDC act by combining relevant sections of law together, including sections relating to enforcement and rule authority, generally-applicable definitions, and criminal prohibitions. It clarifies several requirements under current law relating to distribution and authentication of pedigree papers. In addition, the bill expands the definition of manufacturer to clarify that the manufacturing process is not subject to the pedigree papers requirement. Finally, the bill expands the ability of prescription drug wholesale distributors to use the direct-purchase pedigree paper by increasing the number of allowed intra-company transfers from one transfer to “one or more transfers”.
7083	<b>Home Health Facilities &amp; Durable Medical Equipment</b> – This bill revises several sections of Florida law related to home health agency and nurse registry licensure it

imposes additional licensure requirements for home health agencies and prohibits transferring an application to another entity prior to the license being issued; limits the number of facilities an administrator or nursing director may supervise, with some exceptions; requires home health agencies to maintain patient records for 3 years rather than one; and requires nurse registries to ensure adequate staff training for all certified nursing assistants and home health aides referred by the registries.

The bill also revises several sections of Chapter 409, Florida Statutes, relating to Medicaid provider changes of ownership and Medicaid durable medical equipment (DME) providers to reduce fraud and improve accountability. It defines “change of ownership” to include events when a provider changes to a different legal entity under certain circumstances, specifies liability for moneys owed to AHCA when a provider changes ownership, requires notice of a change of ownership, and clarifies the effective dates of provider agreements; it limits the network of DME providers to those which are accredited, meet certain requirements for a physical location, and directly provide the DME to the Medicaid recipient, with certain exceptions.