

THE FLORIDA BOARD OF OSTEOPATHIC MEDICINE

ANNUAL REGULATORY PLAN 2017-18

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2017). The Plan covers the period beginning October 1, 2017 and ending September 30, 2018.

PART ONE

LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2017 Legislative Session which creates or modifies the duties or authority of the Board of Osteopathic Medicine. §120.74(1)(a), Fla. Stat. (2017).

Law Enacted or Modified on or after Oct. 1, 2016	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch. 2017-50, §3, Laws of Fla., Effective 5-31-17 (HB 229)	§456.0635, F.S., (Healthcare Fraud; disqualification for license, certificate, or registration)	<p>64B15-12.003, F.A.C., (Gen. applications);</p> <p>64B15-12.005, F.A.C., (Limited License);</p> <p>64B15-12.010, F.A.C., (Area of Critical Need);</p>	No	Not applicable	Not applicable	Although rulemaking is not required, certain questions on the licensure applications may be clarified and the Board anticipates opening rule development to address this and other application issues prior to the end of 2017.

		<p><u>64B15-12.011</u>, F.A.C., (Military ACN);</p> <p><u>64B15-12.009</u>, F.A.C., (Osteo. Fac. Cert.);</p> <p><u>64B15-22.004</u>, F.A.C., (Reg. Unlic. Phys.);</p> <p><u>64B15-6.003</u>, F.A.C., (PA licensure);</p> <p><u>64B15-7.003</u>, F.A.C., (AA licensure)</p>				
Ch. 2017-41, §§3 and 5, Laws of Fla., Effective 6-23-17 (SB 8-A)	§381.986, F.S., (Medical use of marijuana)	<p><u>64B15-14.013</u>, F.A.C., (Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions)</p> <p><u>64B15-19.002</u>, F.A.C., (Disciplinary Guidelines)</p>	Yes	64B15ER17-1, Effective 9-8-17	64B15ER17-1, Effective 9-8-17	The Board has filed emergency rules regarding the mandatory consent form and required documentation for comparable medical conditions. Rule development for the listed nonemergency rules is expected to be published by October 18, 2017.
			Yes	64B15ER17-2, Effective 9-8-17	64B15ER17-2, Effective 9-8-17	

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Osteopathic Medicine intends to implement through rulemaking by July 1, 2018 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2018. §120.74(1)(b), Fla. Stat. (2017).

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
<u>64B15-12.003</u> , F.A.C., (Gen. application)	§§456.013, and 459.0055, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-12.005</u> , F.A.C., (Limited license)	§§456.013, and 459.0075, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-12.010</u> , F.A.C., (Area Critical Need)	§§456.013, and 459.0076, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-12.011</u> , F.A.C. (Military ACN)	§§456.013, and 456.0761, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-12.009</u> , F.A.C. (Osteo. Fac. Cert.)	§§456.013, and 459.0077, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-22.004</u> , F.A.C., (Reg. Unlic.	§§456.013, and 459.021, F.S.	Clarify, Simplify, Increase

Phys)		Efficiency
<u>64B15-6.003</u> , F.A.C., (PA licensure)	§§456.013, and 459.022, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-7.003</u> , F.A.C., (AA licensure)	§§456.013, and 459.023, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-19.002</u> , F.A.C., (Disciplinary Guidelines)	§§456.072 and 459.015, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B15-14.007</u> , F.A.C., (Standard of Care for Office Surgery)	§§459.015, and 459.026, F.S.	Clarify

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan addresses whether there are any updates to the prior year's regulatory plan. §120.74(c), Fla. Stat. (2017).

- There are not any updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2017)

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Osteopathic Medicine regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 30th day of June, 2015 with continuing board review through August, 2017.

/S/ Michelle Mendez, D.O.

Electronic Signature

Michelle Mendez, D.O.

Chair of the Board of Osteopathic Medicine

9-6-17

Date Signed

/S/ Donna C. McNulty, Esq.

Electronic Signature

Donna C. McNulty

Senior Assistant Attorney General

Counsel to the Board of Osteopathic Medicine

9-6-17

Date Signed