



119008

LEGISLATIVE ACTION

Senate

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House

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Senator Grimsley moved the following:

**Senate Amendment (with title amendment)**

Delete lines 3836 - 3871

and insert:

the licensure, standards of practice, and operation of pain-  
management clinics as defined in ss. 458.3265 and 459.0137 in  
the following circumstances:

(a) The clinic is wholly owned and operated by a physician  
who performs interventional pain procedures of the type  
routinely billed using surgical codes, who has never been  
suspended or revoked for prescribing a controlled substance in  
Schedule II or Schedule III of s. 893.03 and drugs containing  
Alprazolam in excessive or inappropriate quantities that are not



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14 in the best interest of a patient, and who:

15 1. Has completed a fellowship in pain medicine which is  
16 approved by the Accreditation Council for Graduate Medical  
17 Education or the American Osteopathic Association;

18 2. Is board-certified in pain medicine by the American  
19 Board of Pain Medicine, board-certified by the American Board of  
20 Interventional Pain Physicians; or

21 3. Has a board certification or subcertification in pain  
22 management or pain medicine by a specialty board approved by the  
23 American Board of Medical Specialties or the American  
24 Osteopathic Association.

25 (b) The clinic is wholly owned and operated by a physician-  
26 multispecialty practice if one or more board-eligible or board-  
27 certified medical specialists has one of the qualifications  
28 specified in subparagraph (a)1., subparagraph (a)2., or  
29 subparagraph (a)3., performs interventional pain procedures of  
30 the type routinely billed using surgical codes, and has never  
31 been suspended or revoked for prescribing a controlled substance  
32 in Schedule II or Schedule III of s. 893.03 and drugs containing  
33 Alprazolam in excessive or inappropriate quantities that are not  
34 in the best interest of a patient.

35 (2) Notwithstanding subsection (1), the preemption does not  
36 prohibit a local government or political subdivision from  
37 enacting an ordinance regarding local business taxes adopted  
38 pursuant to chapter 205, any other local levy, charge, or fee  
39 applied to businesses currently authorized by general law or the  
40 Florida Constitution, and land use development regulations  
41 adopted pursuant to chapter 163. A pain-management clinic in  
42 which the regulation of its licensure, standards of practice,



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43 and operation

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45 ===== T I T L E A M E N D M E N T =====

46 And the title is amended as follows:

47 Delete lines 356 - 361

48 and insert:

49 licensure, standards of practice, and operation of  
50 pain-management clinics is preempted to the state  
51 under certain circumstances; authorizing a local  
52 government or political subdivision of the state to  
53 enact certain ordinances; providing an effective date.