

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

SB 450 — Pain Management Clinics

by Senators Benacquisto and Gaetz

The bill (Chapter 2015-49, L.O.F.) saves the regulation of pain management clinics from repeal on January 1, 2016.

Sections 458.3265 and 459.0137, F.S., are scheduled to expire on January 1, 2016. Section 458.3265, F.S., prohibits a medical doctor from practicing in a pain management clinic that is not registered with the Department of Health (DOH). Section 459.0137, F.S., outlines the same requirements for osteopathic physicians. These statutes also provide minimum requirements for the operation of pain management clinics and require that each clinic be inspected on an annual basis by the DOH. Each clinic must have a designated physician that is responsible for the operations of the clinic. The designated physician is also responsible for quarterly reporting to the DOH data which describes the number of patients discharged for drug abuse and/or drug diversion and the number of patients whose domicile is not in the state of Florida. These statutes also provide grounds for which the DOH may revoke the pain management clinic registration.

There are exceptions to the registration requirements found in ss. 458.3265 and 459.0137, F.S., for hospital facilities, medical school clinics, non-profit corporations, clinics primarily providing surgical services and clinics operated by certain board-certified physicians.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 117-1