

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 1561 — Office Surgeries

by Health & Human Services Committee and Rep. Busatta Cabrera and others (CS/CS/SB 1188 by Fiscal Policy Committee; Health Policy Committee; and Senator Garcia)

The bill requires a physician who performs liposuction procedures in which more than 1,000 cc of supernatant fat is removed, temporarily or permanently, to register his or her office with the Department of Health.

The bill prohibits a physician from performing a liposuction procedure where more than 1,000 cc of supernatant fat is temporarily or permanently removed, a Level II office surgery, or Level III office surgery procedure in any setting other than a registered office surgery setting or a facility licensed under chs. 390 or 395, F.S. The bill revises the fine for violating this prohibition from \$5,000 a day to \$5,000 per incident.

The bill requires physician offices in which one or more physicians perform gluteal fat grafting procedures to establish financial responsibility through one of the following methods:

- Obtaining and maintaining professional liability coverage of at least \$250,000 per claim, with a minimum annual aggregate of at least \$750,000, from an authorized insurer, surplus lines insurer, risk retention group, joint underwriting association, or through a plan of self-insurance which may not be used for costs or attorney fees from the defense of any medical malpractice litigation; or
- Obtaining and maintaining an unexpired, irrevocable letter of credit of at least \$250,000 per claim, with a maximum aggregate credit availability of at least \$750,000, which may not be used for costs or attorney fees from the defense of any medical malpractice litigation.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect upon becoming law.

Vote: Senate 39-0; House 111-0