

1                   A bill to be entitled  
2           An act relating to health care; amending ss.  
3           458.320 and 459.0085, F.S., relating to  
4           financial responsibility of physicians and  
5           osteopathic physicians; requiring the  
6           Department of Health to suspend the license of  
7           a physician or osteopathic physician pending  
8           payment, up to the amounts required by the  
9           applicable financial responsibility provision  
10          of law, of any outstanding judgment,  
11          arbitration award, other order, or settlement;  
12          providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Subsection (9) is added to section 458.320,  
17 Florida Statutes, 1996 Supplement, to read:

18

458.320 Financial responsibility.--

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20           (9) Notwithstanding any provision of this section to  
21 the contrary, if a physician has had entered against him or  
22 her a final judgment, arbitration award, or other order or has  
23 reached a settlement agreement to pay damages arising out of a  
24 claim for medical malpractice, if all appellate remedies  
25 related thereto have been exhausted, and if payment up to the  
26 amounts required by this section is not made within 30 days  
27 after the entering of such judgment, award, or order or after  
28 the reaching of such agreement, the department shall suspend  
29 the license of the physician until such time as proof of  
30 payment is received by the department. This section shall not  
31 apply to physicians who have meet the financial responsibility  
requirements as set forth in s. 458.320(1)(b) and (2)(b).

1           Section 2. Subsection (10) is added to section  
2 459.0085, Florida Statutes, 1996 Supplement, to read:

3           459.0085 Financial responsibility.--

4           (10) Notwithstanding any provision of this section to  
5 the contrary, if an osteopathic physician has had entered  
6 against him or her a final judgment, arbitration award, or  
7 other order or has reached a settlement agreement to pay  
8 damages arising out of a claim for medical malpractice, if all  
9 appellate remedies related thereto have been exhausted, and if  
10 payment up to the amounts required by this section is not made  
11 within 30 days after the entering of such judgment, award, or  
12 order or after the reaching of such agreement, the department  
13 shall suspend the license of the osteopathic physician until  
14 such time as proof of payment is received by the department.  
15 This section shall not apply to osteopaths who have meet the  
16 financial responsibility requirements as set forth in s.  
17 495.0085(1)(b) and (2)(b).

18           Section 3. This act shall take effect upon becoming a  
19 law.