

By Senator Cowin

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A bill to be entitled

An act relating to health care; amending s. 455.654, F.S., the "Patient Self-Referral Act of 1992"; redesignating the section as the "Patient Self-Referral Act"; redefining the term "referral"; providing an effective date.

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

Section 1. Subsection (1) and paragraph (k) of subsection (3) of section 455.654, Florida Statutes, are amended to read:

455.654 Financial arrangements between referring health care providers and providers of health care services.--

(1) SHORT TITLE.--This section may be cited as the "Patient Self-Referral Act ~~of 1992.~~"

(3) DEFINITIONS.--For the purpose of this section, the word, phrase, or term:

(k) "Referral" means any referral of a patient by a health care provider for health care services, including, without limitation:

1. The forwarding of a patient by a health care provider to another health care provider or to an entity which provides or supplies designated health services or any other health care item or service; or

2. The request or establishment of a plan of care by a health care provider, which includes the provision of designated health services or other health care item or service.

1 3. Except for the purposes of s. 455.661, the
2 following orders, recommendations, or plans of care shall not
3 constitute a referral by a health care provider:

4 a. By a radiologist for diagnostic-imaging services.

5 b. By a physician specializing in the provision of
6 radiation therapy services for such services.

7 c. By a medical oncologist for drugs and solutions to
8 be prepared and administered intravenously to such
9 oncologist's patient, as well as for the supplies and
10 equipment used in connection therewith to treat such patient
11 for cancer and the complications thereof.

12 d. By a cardiologist for cardiac catheterization
13 services.

14 e. By a pathologist for diagnostic clinical laboratory
15 tests and pathological examination services, if furnished by
16 or under the supervision of such pathologist pursuant to a
17 consultation requested by another physician.

18 f. By a health care provider who is the sole provider
19 or member of a group practice for designated health services
20 or other health care items or services that are prescribed or
21 provided ~~solely~~ for not less than 50 percent of such referring
22 health care provider's or group practice's own patients, and
23 that are provided or performed by or under the direct
24 supervision of such referring health care provider or group
25 practice.

26 g. By a health care provider for services provided by
27 an ambulatory surgical center licensed under chapter 395.

28 h. By a health care provider for diagnostic clinical
29 laboratory services where such services are directly related
30 to renal dialysis.

31 i. By a urologist for lithotripsy services.

1 j. By a dentist for dental services performed by an
2 employee of or health care provider who is an independent
3 contractor with the dentist or group practice of which the
4 dentist is a member.

5 k. By a physician for infusion therapy services to a
6 patient of that physician or a member of that physician's
7 group practice.

8 l. By a nephrologist for renal dialysis services and
9 supplies.

10 Section 2. This act shall take effect October 1, 1998.

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SENATE SUMMARY

Revises the definition of the term "referral," as used in
the "Patient Self-Referral Act."