

By Senator Silver

38-365-98

1 A bill to be entitled
2 An act relating to workers' compensation;
3 amending ss. 440.13, 440.134, F.S.; providing
4 for review of patients' needs for chiropractic
5 services in certain situations; deleting
6 obsolete provisions; providing an effective
7 date.

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

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11 Section 1. Paragraph (a) of subsection (2) of section
12 440.13, Florida Statutes, is amended to read:

13 440.13 Medical services and supplies; penalty for
14 violations; limitations.--

15 (2) MEDICAL TREATMENT; DUTY OF EMPLOYER TO FURNISH.--

16 (a) Subject to the limitations specified elsewhere in
17 this chapter, the employer shall furnish to the employee such
18 medically necessary remedial treatment, care, and attendance
19 for such period as the nature of the injury or the process of
20 recovery may require, including medicines, medical supplies,
21 durable medical equipment, orthoses, prostheses, and other
22 medically necessary apparatus. Remedial treatment, care, and
23 attendance, including work-hardening programs or
24 pain-management programs accredited by the Commission on
25 Accreditation of Rehabilitation Facilities or Joint Commission
26 on the Accreditation of Health Organizations or
27 pain-management programs affiliated with medical schools,
28 shall be considered as covered treatment only when such care
29 is given based on a referral by a physician as defined in this
30 chapter. Each facility shall maintain outcome data, including
31 work status at discharges, total program charges, total number

1 of visits, and length of stay. ~~The department shall utilize~~
2 ~~such data and report to the President of the Senate and the~~
3 ~~Speaker of the House of Representatives regarding the efficacy~~
4 ~~and cost-effectiveness of such program, no later than October~~
5 ~~1, 1994. Medically necessary treatment, care, and attendance~~
6 ~~does not include chiropractic services in excess of 18~~
7 ~~treatments or rendered 8 weeks beyond the date of the initial~~
8 ~~chiropractic treatment, whichever comes first, unless the~~
9 ~~carrier authorizes additional treatment or the employee is~~
10 ~~catastrophically injured.~~

11 Section 2. Paragraph (i) of subsection (1) of section
12 440.134, Florida Statutes, is amended to read:

13 440.134 Workers' compensation managed care
14 arrangement.--

15 (1) As used in this section, the term:

16 (i) "Medical care coordinator" means a primary care
17 provider within a provider network who is responsible for
18 managing the medical care of an injured worker including
19 determining other health care providers and health care
20 facilities to which the injured employee will be referred for
21 evaluation or treatment. A medical care coordinator must ~~shall~~
22 be a physician licensed under chapter 458, ~~or~~ an osteopathic
23 physician licensed under chapter 459, or a chiropractic
24 physician licensed under chapter 460. A medical care
25 coordinator licensed under chapter 460 must be assigned to any
26 person who seeks chiropractic services, and such medical care
27 coordinator shall determine whether the patient needs
28 additional chiropractic services after an initial series of 18
29 chiropractic treatments.

30 Section 3. This act shall take effect July 1, 1998.

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SENATE SUMMARY

Revises provisions related to chiropractic treatment for patients under workers' compensation. Deletes a provision that limits such treatment to 18 treatments or 8 weeks and provides for a review by a chiropractor, serving as a medical care coordinator, to determine whether a patient needs further treatments after receiving the 18 treatments.