

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Representative(s) Brooks offered the following:

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13 **Amendment (with title amendment)**

14 On page 17, between lines 7 and 8,

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16 insert:

17 Section 13. Paragraph (k) of subsection (3) of section
18 455.654, Florida Statutes, is amended to read:

19 455.654 Financial arrangements between referring
20 health care providers and providers of health care services.--

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

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

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

30 2. The request or establishment of a plan of care by a
31 health care provider, which includes the provision of

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1 designated health services or other health care item or
2 service.

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

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

7 b. By a physician specializing in the provision of
8 radiation therapy services for such services.

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

14 d. By a cardiologist for cardiac catheterization
15 services.

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

20 f. By a health care provider who is the sole provider
21 or member of a group practice for designated health services
22 or other health care items or services that are prescribed or
23 provided for not less than 75 percent of ~~solely for~~ such
24 referring health care provider's or group practice's own
25 patients, and that are provided or performed by or under the
26 direct supervision of such referring health care provider or
27 group practice. For a group practice, this exemption is
28 forfeited if the group practice accepts a referral from a
29 physician who is not a member of the group practice but who
30 has an investment interest in or is an investor in the group
31 practice. For a sole provider, this exemption is forfeited if

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1 the sole provider accepts a referral from a physician who has
2 an investment interest in or is an investor in the sole
3 provider's practice.

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

6 h. By a health care provider for diagnostic clinical
7 laboratory services where such services are directly related
8 to renal dialysis.

9 i. By a urologist for lithotripsy services.

10 j. By a dentist for dental services performed by an
11 employee of or health care provider who is an independent
12 contractor with the dentist or group practice of which the
13 dentist is a member.

14 k. By a physician for infusion therapy services to a
15 patient of that physician or a member of that physician's
16 group practice.

17 l. By a nephrologist for renal dialysis services and
18 supplies.

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21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 2, line 2,

24

25 after the semicolon insert:

26 amending s. 455.654, F.S.; revising an
27 exemption from the definition of "referral";
28 providing conditions for forfeiture of the
29 exemption;

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