

Bill No. CS for SB 994

Amendment No.

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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| 11 | Senator Geller moved the following amendment: | | |
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| 13 | Senate Amendment (with title amendment) | | |
| 14 | On page 6, between lines 18 and 19, | | |
| 15 | | | |
| 16 | insert: | | |
| 17 | Section 6. Subsection (1) of section 627.912, Florida | | |
| 18 | Statutes, is amended, and subsection (5) is added to that | | |
| 19 | section, to read: | | |
| 20 | 627.912 Professional liability claims and actions; | | |
| 21 | reports by insurers.-- | | |
| 22 | (1) Each self-insurer authorized under s. 627.357 and | | |
| 23 | each insurer or joint underwriting association providing | | |
| 24 | professional liability insurance to a practitioner of medicine | | |
| 25 | licensed under chapter 458, to a practitioner of osteopathic | | |
| 26 | medicine licensed under chapter 459, to a podiatrist licensed | | |
| 27 | under chapter 461, to a dentist licensed under chapter 466, to | | |
| 28 | a hospital licensed under chapter 395, to a crisis | | |
| 29 | stabilization unit licensed under part IV of chapter 394, to a | | |
| 30 | health maintenance organization certificated under part I of | | |
| 31 | chapter 641, to clinics included in chapter 390, to an | | |

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1 ambulatory surgical center as defined in s. 395.002, or to a
 2 member of The Florida Bar shall report in duplicate to the
 3 Department of Insurance any claim or action for damages for
 4 personal injuries claimed to have been caused by error,
 5 omission, or negligence in the performance of such insured's
 6 professional services or based on a claimed performance of
 7 professional services without consent, if the claim resulted
 8 in:

9 (a) A final judgment in any amount.

10 (b) A settlement in any amount.

11 ~~(c) A final disposition not resulting in payment on~~
 12 ~~behalf of the insured.~~

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14 Reports shall be filed with the department and, if the insured
 15 party is licensed under chapter 458, chapter 459, chapter 461,
 16 or chapter 466, with the Agency for Health Care
 17 Administration, no later than 30 days following the occurrence
 18 of any event listed in paragraph (a) ~~or~~ paragraph (b), ~~or~~
 19 ~~paragraph (c)~~. The Agency for Health Care Administration shall
 20 review each report and determine whether any of the incidents
 21 that resulted in the claim potentially involved conduct by the
 22 licensee that is subject to disciplinary action, in which case
 23 the provisions of s. 455.225 shall apply. The Agency for
 24 Health Care Administration, as part of the annual report
 25 required by s. 455.2285, shall publish annual statistics,
 26 without identifying licensees, on the reports it receives,
 27 including final action taken on such reports by the agency or
 28 the appropriate regulatory board.

29 (5) Any self-insurance program established under s.
 30 240.213 shall report in duplicate to the Department of
 31 Insurance any claim or action for damages for personal

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1 injuries claimed to have been caused by error, omission, or
2 negligence in the performance of professional services
3 provided by the Board of Regents through an employee or agent
4 of the Board of Regents, including practitioners of medicine
5 licensed under chapter 458, practitioners of osteopathic
6 medicine licensed under chapter 459, podiatrists licensed
7 under chapter 461, and dentists licensed under chapter 466, or
8 based on a claimed performance of professional services
9 without consent if the claim resulted in a final judgment in
10 any amount, or a settlement in any amount. The reports
11 required by this subsection shall contain the information
12 required by subsection (3) and the name, address, and
13 specialty of the employee or agent of the Board of Regents
14 whose performance or professional services is alleged in the
15 claim or action to have caused personal injury.

16
17 (Redesignate subsequent sections.)

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19

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

21 And the title is amended as follows:

22 On page 1, line 20, after the semicolon,
23
24 insert:
25 amending s. 627.912, F.S.; revising reporting
26 requirements by certain insurers; requiring
27 certain self-insurers to report certain
28 information to the Department of Insurance;

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