

By Senator Latvala

19-1463A-99

1 A bill to be entitled
2 An act relating to health care providers;
3 amending s. 455.654, F.S.; redefining the term
4 "referral" as used in the Patient Self-Referral
5 Act of 1992 to exclude the orders,
6 recommendations, or plans by specified
7 providers; providing an effective 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 (k) of subsection (3) of section
12 455.654, Florida Statutes, 1998 Supplement, is amended to
13 read:

14 455.654 Financial arrangements between referring
15 health care providers and providers of health care services.--

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

18 (k)1. "Referral" means any referral of a patient by a
19 health care provider for health care services, including,
20 without limitation:

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

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

29 2.3. The following orders, recommendations, or plans
30 of care shall not constitute a referral by a health care
31 provider:

- 1 a. By a radiologist for diagnostic-imaging services.
- 2 b. By a health care provider to a radiologist in a
3 group practice for the diagnostic imaging services customarily
4 provided by that radiologist in the group practice, if the
5 referring health care provider has no investment interest in
6 the group practice. However, the number of patients referred
7 to the radiologist in the group practice may not exceed 10
8 percent of the total number of patients receiving diagnostic
9 imaging services from the group practice.
- 10 ~~c.b.~~ By a physician specializing in the provision of
11 radiation therapy services for such services.
- 12 ~~d.e.~~ By a medical oncologist for drugs and solutions
13 to be prepared and administered intravenously to such
14 oncologist's patient, as well as for the supplies and
15 equipment used in connection therewith to treat such patient
16 for cancer and the complications thereof.
- 17 ~~e.d.~~ By a cardiologist for cardiac catheterization
18 services, cardiovascular services, or cardiovascular
19 diagnostic imaging.
- 20 f. By any health care provider to a cardiologist in a
21 group practice for the services listed in sub-subparagraph e.
22 if the referring health care provider has no investment
23 interest in the group practice. However, the number of
24 patients referred to the cardiologist in the group practice
25 may not exceed 10 percent of the total number of patients
26 receiving the services listed in sub-subparagraph e. from the
27 group practice.
- 28 ~~g.e.~~ By a pathologist for diagnostic clinical
29 laboratory tests and pathological examination services, if
30 furnished by or under the supervision of such pathologist
31 pursuant to a consultation requested by another physician.

1 ~~h.f.~~ By a health care provider who is the sole
2 provider or member of a group practice for designated health
3 services or other health care items or services that are
4 prescribed or provided solely for such referring health care
5 provider's or group practice's own patients, and that are
6 provided or performed by or under the direct supervision of
7 such referring health care provider or group practice.

8 ~~i.g.~~ By a health care provider for services provided
9 by an ambulatory surgical center licensed under chapter 395.

10 ~~j.h.~~ By a health care provider for diagnostic clinical
11 laboratory services where such services are directly related
12 to renal dialysis.

13 ~~k.i.~~ By a urologist for lithotripsy services.

14 ~~l.j.~~ By a dentist for dental services performed by an
15 employee of or health care provider who is an independent
16 contractor with the dentist or group practice of which the
17 dentist is a member.

18 ~~m.k.~~ By a physician for infusion therapy services to a
19 patient of that physician or a member of that physician's
20 group practice.

21 ~~n.l.~~ By a nephrologist for renal dialysis services and
22 supplies.

23 o. By a neurologist for nerve conduction studies,
24 evoked potentials studies, and electroencephalograms (EEGs).

25 p. By a vascular surgeon for peripheral vascular
26 laboratories utilizing doppler and vascular ultrasound.

27 q. By a physician specializing in physical
28 rehabilitative medicine or occupational and environmental
29 medicine for evaluation procedures and therapeutic services.

30 Section 2. This act shall take effect July 1, 1999.

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SENATE SUMMARY

Redefines the term "referral" when used in reference to the Patient Self-Referral Act of 1992 to exclude the orders, recommendations, or plans by specified health care providers.