

By Representative Cusack

1                                   A bill to be entitled  
2           An act relating to adverse determinations under  
3           a quality assurance program; amending s.  
4           641.51, F.S.; revising physicians authorized to  
5           render adverse determinations; providing an  
6           effective date.

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

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10           Section 1. Subsection (4) of section 641.51, Florida  
11 Statutes, is amended to read:

12           641.51 Quality assurance program; second medical  
13 opinion requirement.--

14           (4) A physician who renders an adverse determination  
15 shall be licensed under chapter 458 or chapter 459, shall be  
16 in active practice in this state, and shall be certified in  
17 the specialty under which the physician is rendering the  
18 adverse determination.The organization shall ensure that only  
19 such a physician renders ~~licensed under chapter 458 or chapter~~  
20 ~~459, or an allopathic or osteopathic physician with an active,~~  
21 ~~unencumbered license in another state with similar licensing~~  
22 ~~requirements may render~~ an adverse determination regarding a  
23 service provided by a physician licensed in this state. The  
24 organization shall submit to the treating provider and the  
25 subscriber written notification regarding the organization's  
26 adverse determination within 2 working days after the  
27 subscriber or provider is notified of the adverse  
28 determination. The written notification must include the  
29 utilization review criteria or benefits provisions used in the  
30 adverse determination, identify the physician who rendered the  
31 adverse determination, and be signed by an authorized

1 representative of the organization or the physician who  
2 rendered the adverse determination. The organization must  
3 include with the notification of an adverse determination  
4 information concerning the appeal process for adverse  
5 determinations.

6 Section 2. This act shall take effect upon becoming a  
7 law.

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10 HOUSE SUMMARY

11 Requires a physician rendering an adverse determination  
12 to be licensed in this state, in active practice in this  
13 state, and certified in the specialty under which the  
14 physician renders the adverse determination. Deletes  
15 authorization for allopathic or osteopathic physicians  
16 with an active, unencumbered license in another state  
17 with similar licensing requirements to make adverse  
18 determinations.  
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