

Amendment No. 02 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 The Committee on State Administration offered the following:

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13 **Amendment**

14 On page 18, line 16 through page 19 line 17

15 remove from the bill: all of said lines

16

17 and insert in lieu thereof:

18 (4) NOTICE OF TREATMENT TO CARRIER; FILING WITH
19 DIVISION.--

20 (a) Any health care provider providing necessary
21 remedial treatment, care, or attendance to any injured worker
22 shall submit treatment reports to the carrier in a format and
23 on forms prescribed by the division in consultation with the
24 agency. A claim for medical or surgical treatment is not valid
25 or enforceable against such employer or employee, unless, by
26 the close of the third business day following the first
27 treatment, the physician providing the treatment furnishes to
28 the employer or carrier a preliminary notice of the injury and
29 treatment on forms prescribed by the division and, within 15
30 days thereafter, furnishes to the employer or carrier a
31 complete report, and subsequent thereto furnishes progress

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1 reports, if requested by the employer or insurance carrier, at
2 intervals of not less than 3 weeks apart or at less frequent
3 intervals if requested on forms prescribed by the division.

4 (b) Each medical report or bill obtained or received
5 by the employer, the carrier, or the injured employee, or the
6 attorney for the employer, carrier, or injured employee, with
7 respect to the remedial treatment or care of the injured
8 employee, including any report of an examination, diagnosis,
9 or disability evaluation, must be filed with the Division of
10 Workers' Compensation pursuant to rules adopted by the
11 division in consultation with the agency. The health care
12 provider shall also furnish to the injured employee or to his
13 or her attorney, on demand, a copy of his or her office chart,
14 records, and reports, and may charge the injured employee an
15 amount authorized by the division for the copies. Each such
16 health care provider shall provide to the agency or the
17 division any additional information about the remedial
18 treatment, care, and attendance that the agency or the
19 division reasonably requests.

20 (c) It is the policy for the administration of the
21 workers' compensation system that there be reasonable access
22 to medical information by all parties to facilitate the
23 self-executing features of the law. Notwithstanding the
24 limitations in s. 456.057 and subject to the limitations in s.
25 381.004, upon the request of the employer, the carrier, or the
26 attorney for either of them, the medical records of an injured
27 employee must be furnished to those persons and the medical
28 condition of the injured employee must be discussed with those
29 persons, if the records and the discussions are restricted to
30 conditions relating to the workplace injury. Any such
31 discussions may be held before or after the filing of a claim

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1 without the knowledge, consent, or presence of any other party
2 or his or her agent or representative. A health care provider
3 who willfully refuses to provide medical records or to discuss
4 the medical condition of the injured employee, after a
5 reasonable request is made for such information pursuant to
6 this subsection, shall be subject by the division to one or
7 more of the penalties set forth in paragraph (8)(b).

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