

By Representative Farkas

1                                   A bill to be entitled  
2           An act relating to health care; amending ss.  
3           458.320, 459.0085, F.S., relating to financial  
4           responsibility of physicians and osteopathic  
5           physicians; requiring the Department of Health  
6           to suspend the license of a physician or  
7           osteopathic physician pending payment, up to  
8           the amounts required by any applicable  
9           financial responsibility provision, of any  
10          outstanding judgment, arbitration award, other  
11          order, or settlement; providing an effective  
12          date.

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

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16           Section 1. Subsection (9) is added to section 458.320,  
17 Florida Statutes, to read:

18           458.320 Financial responsibility.--

19           (9) Notwithstanding any other provision of this  
20 section, the department shall suspend the license of any  
21 physician against whom has been entered a final judgment,  
22 arbitration award, or other order or who has entered into a  
23 settlement agreement to pay damages arising out of a claim for  
24 medical malpractice, if all appellate remedies have been  
25 exhausted and payment up to the amounts required by this  
26 section has not been made within 30 days after the entering of  
27 such judgment, award, or order or agreement, until proof of  
28 payment is received by the department. This section does not  
29 apply to physicians who have met the financial responsibility  
30 requirements in paragraphs (1)(b) and (2)(b).

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1           Section 2. Subsection (10) is added to section  
2 459.0085, Florida Statutes, to read:  
3           459.0085 Financial responsibility.--  
4           (10) Notwithstanding any other provision of this  
5 section, the department shall suspend the license of any  
6 osteopathic physician against whom has been entered a final  
7 judgment, arbitration award, or other order or who has entered  
8 into a settlement agreement to pay damages arising out of a  
9 claim for medical malpractice, if all appellate remedies have  
10 been exhausted and payment up to the amounts required by this  
11 section has not been made within 30 days after the entering of  
12 such judgment, award, or order or agreement, until proof of  
13 payment is received by the department. This section does not  
14 apply to osteopathic physicians who have met the financial  
15 responsibility requirements in paragraphs (1)(b) and (2)(b).

16           Section 3. This act shall take effect July 1, 2002.

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SENATE SUMMARY

Requires the Department of Health to suspend the license of any physician or osteopathic physician pending payment up to the amounts required by the applicable financial responsibility provision of any outstanding judgment, arbitration award, order or settlement.