

By Senator Futch

18-1456-02

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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19 SENATE SUMMARY

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