

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Simmons, Brown, and Waters offered the  
12 following:

14 **Amendment (with title amendment)**

15 On page 3, between lines 25 & 26 of the bill

17 insert:

18 Section 3. Paragraph (b) of subsection (5) of section  
19 627.736, Florida Statutes, is amended to read:

20 627.736 Required personal injury protection benefits;  
21 exclusions; priority; claims.--

22 (5) CHARGES FOR TREATMENT OF INJURED PERSONS.--

23 (b)1. An insurer or insured is not required to pay a  
24 claim made by a broker or by a person making a claim on behalf  
25 of a broker. However, this sub-paragraph shall not be  
26 construed to require reimbursement for persons not otherwise  
27 reimbursable.

28 2. Charges for medically necessary cephalic  
29 thermograms, peripheral thermograms, spinal ultrasounds,  
30 extremity ultrasounds, video fluoroscopy, and surface  
31 electromyography shall not exceed the maximum reimbursement

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1 allowance for such procedures as set forth in the applicable  
2 fee schedule or other payment methodology established pursuant  
3 to s. 440.13.

4 3. Allowable amounts that may be charged to a personal  
5 injury protection insurance insurer and insured for medically  
6 necessary nerve conduction testing when done in conjunction  
7 with a needle electromyography procedure and both are  
8 performed and billed solely by a physician licensed under  
9 chapter 458, chapter 459, chapter 460, or chapter 461 who is  
10 also certified by the American Board of Electrodiagnostic  
11 Medicine or by a board recognized by the American Board of  
12 Medical Specialties or the American Osteopathic Association or  
13 who holds diplomate status with the American Chiropractic  
14 Neurology Board or its predecessors or the American Board of  
15 Chiropractic Orthopedics shall not exceed 200 percent of the  
16 allowable amount under the participating physician fee  
17 schedule of Medicare Part B for year 2001, in effect on June  
18 19, 2001 for the area in which the treatment was rendered,  
19 adjusted annually in February of each year, beginning with  
20 February 2003, by an additional amount equal to the prior  
21 year's annual Medical Care Item of the Consumer Price Index  
22 for All Urban Consumers as determined by the Bureau of Labor  
23 Statistics of the United States Department of Labor ~~medical~~  
24 ~~Consumer Price Index for Florida.~~

25 4. Allowable amounts that may be charged to a personal  
26 injury protection insurance insurer and insured for medically  
27 necessary nerve conduction testing that does not meet the  
28 requirements of subparagraph 3. shall not exceed the  
29 applicable fee schedule or other payment methodology  
30 established pursuant to s. 440.13.

31 5. From June 19, 2001 ~~Effective upon this act becoming~~

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1 ~~a law~~ and before November 1, 2001, allowable amounts that may  
2 be charged to a personal injury protection insurance insurer  
3 and insured for magnetic resonance imaging services shall not  
4 exceed 200 percent of the allowable amount under the  
5 participating physician fee schedule of Medicare Part B for  
6 year 2001 in effect on June 19, 2001, for the area in which  
7 the treatment was rendered. Beginning November 1, 2001,  
8 allowable amounts that may be charged to a personal injury  
9 protection insurance insurer and insured for magnetic  
10 resonance imaging services shall not exceed 175 percent of the  
11 allowable amount under the participating physician fee  
12 schedule of Medicare Part B for year 2001 in effect on June  
13 19, 2001, for the area in which the treatment was rendered,  
14 adjusted annually in February of each year, beginning with  
15 February 2003, by an additional amount equal to the prior  
16 year's annual Medical Care Item of the Consumer Price Index  
17 for All Urban Consumers as determined by the Bureau of Labor  
18 Statistics of the United States Department of Labor ~~medical~~  
19 ~~Consumer Price Index for Florida~~, except that allowable  
20 amounts that may be charged to a personal injury protection  
21 insurance insurer and insured for magnetic resonance imaging  
22 services provided in facilities accredited by the American  
23 College of Radiology or the Joint Commission on Accreditation  
24 of Healthcare Organizations shall not exceed 200 percent of  
25 the allowable amount under the participating physician fee  
26 schedule of Medicare Part B for year 2001 in effect on June  
27 19, 2001, for the area in which the treatment was rendered,  
28 adjusted annually in February of each year, beginning with  
29 February 2003, by an additional amount equal to the prior  
30 year's annual Medical Care Item of the Consumer Price Index  
31 for All Urban Consumers as determined by the Bureau of Labor

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1 Statistics of the United States Department of Labor ~~medical~~  
2 ~~Consumer Price Index for Florida~~. This paragraph does not  
3 apply to charges for magnetic resonance imaging services and  
4 nerve conduction testing for inpatients and emergency services  
5 and care as defined in chapter 395 rendered by facilities  
6 licensed under chapter 395.

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9 ===== T I T L E    A M E N D M E N T =====

10 And the title is amended as follows:

11        On page 1, line 5

12

13 after "effect;", insert:

14        amending s. 627.736, F.S.; revising provisions  
15        for charges for treatment of injured persons;

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