

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Ambler offered the following:

Amendment (with title amendment)

Between lines 4900 and 4901, insert:

Section 33. Section 440.70, Florida Statutes, is created to read:

440.70 Coverage from other insurance policies.--Notwithstanding any other provision of this chapter, if an employer provides both health insurance and long-term disability insurance to its employees:

(1) The employer shall provide workers' compensation insurance only for accidents occurring as the result of gross negligence or an intentional act on the part of the employer or for coverage above and beyond the terms of the health insurance or long-term disability insurance policies.

(2) Medical exams required by this section shall be paid for by the employee's health insurance provider subject to the

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28 terms of the employee's health insurance policy and any
29 copayment or deductible shall be paid for by the employer if the
30 employer is requesting the exam or by the employee if the
31 employee is requesting the exam.

32 (3) Health-related benefits to which an employee is
33 entitled arising out of an accident under this chapter shall be
34 paid for by the employee's health insurance provider subject to
35 the terms of the employee's health insurance policy.

36 (4) Permanent impairment benefits and temporary partial
37 disability benefits to which an employee is entitled arising out
38 of an accident under this chapter shall be paid for by the
39 employee's long-term disability insurance provider subject to
40 the terms of the employee's long-term disability insurance
41 policy.

42 (5) Any benefits to which the employee is entitled under
43 this chapter that exceed the terms of either the employee's
44 health insurance policy or long-term disability policy shall be
45 provided by the employer directly or through a supplemental
46 insurance policy.

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

49 Remove line 89, and insert:
50 Financial Services, if requested; creating s. 440.70, F.S.;
51 exempting employers who provide health insurance and long-term
52 disability insurance; providing for coverage of workers'
53 compensation benefits from such insurance sources; providing
54 alternative requirements; requiring supplemental insurance
55 coverage for certain benefits under certain circumstances;
56 amending s. 627.162,