

Bill No. SB 1596

Barcode 045136

CHAMBER ACTION

Senate

House

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Comm: FAV
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The Committee on Health Care (Fasano) recommended the following amendment:

Senate Amendment (with title amendment)

On page 5, line 21, through
page 6, line 13, delete those lines

and insert:

Section 4. Paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 440.105, Florida Statutes, are amended to read:

440.105 Prohibited activities; reports; penalties; limitations.--

(2) Whoever violates any provision of this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(a) It shall be unlawful for any employer to knowingly:

1. Coerce or attempt to coerce, as a precondition to employment or otherwise, an employee to obtain a certificate of election of exemption pursuant to s. 440.05.

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1 2. Discharge or refuse to hire an employee or job
2 applicant because the employee or applicant has filed a claim
3 for benefits under this chapter.

4 3. Discharge, discipline, or take any other adverse
5 personnel action against any employee for disclosing
6 information to the department or any law enforcement agency
7 relating to any violation or suspected violation of any of the
8 provisions of this chapter or rules promulgated hereunder.

9 ~~4. Violate a stop-work order issued by the department
10 pursuant to s. 440.107.~~

11 (4) Whoever violates any provision of this subsection
12 commits insurance fraud, punishable as provided in paragraph
13 (f).

14 (a) It shall be unlawful for any employer to
15 knowingly:

16 1. Present or cause to be presented any false,
17 fraudulent, or misleading oral or written statement to any
18 person as evidence of compliance with s. 440.38.

19 2. Make a deduction from the pay of any employee
20 entitled to the benefits of this chapter for the purpose of
21 requiring the employee to pay any portion of premium paid by
22 the employer to a carrier or to contribute to a benefit fund
23 or department maintained by such employer for the purpose of
24 providing compensation or medical services and supplies as
25 required by this chapter.

26 3. Fail to secure workers' ~~payment of~~ compensation
27 insurance coverage if required to do so by this chapter.

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

31 And the title is amended as follows:

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1 On page 1, line 18, after the semicolon,

2

3 insert:

4 providing that the failure to secure required

5 workers' compensation insurance coverage

6 constitutes insurance fraud;

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