24-1276-06

1	A bill to be entitled
2	An act relating to health care clinics;
3	amending s. 400.9905, F.S.; providing that an
4	entity that files an annual affidavit with the
5	Agency for Health Care Administration stating
6	that it does not provide personal injury
7	protection benefits is not defined as a clinic
8	for purposes of the Health Care Clinic Act;
9	amending s. 400.993, F.S.; providing that an
10	entity that provides services in conflict with
11	such an affidavit to the agency commits a
12	felony of the third degree; providing an
13	effective date.
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15	Be It Enacted by the Legislature of the State of Florida:
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17	Section 1. Paragraph (k) is added to subsection (4) of
18	section 400.9905, Florida Statutes, to read:
19	400.9905 Definitions
20	(4) "Clinic" means an entity at which health care
21	services are provided to individuals and which tenders charges
22	for reimbursement for such services, including a mobile clinic
23	and a portable equipment provider. For purposes of this part,
24	the term does not include and the licensure requirements of
25	this part do not apply to:
26	(k) Entities that file an annual affidavit with the
27	agency which states that they do not provide personal injury
28	protection benefits under ss. 627.730-627.7405.
29	Section 2. Present subsections (5), (6), (7), (8), and
30	(9) of section 400.993, Florida Statutes, are redesignated as
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subsections (6), (7), (8), (9), and (10), respectively, and a
 2
   new subsection (5) is added to that section, to read:
 3
           400.993 Unlicensed clinics; penalties; fines;
 4
   verification of licensure status. --
 5
          (5) An entity that knowingly provides services in
 6
    conflict with an annually filed affidavit to the agency which
    states that the entity does not provide personal injury
 8
    protection benefits commits a felony of the third degree,
    punishable as provided in s. 775.082, s. 775.083, or s.
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    775.084. Each day of continued operation is a separate
    offense.
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           Section 3. This act shall take effect July 1, 2006.
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                             SENATE SUMMARY
16
      Provides that an entity that files an annual affidavit
      with the Agency for Health Care Administration is not
      defined as a clinic for purposes of the Health Care
Clinic Act. Provides that an entity that provides
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      personal injury protection benefits in conflict with the
      affidavit to the agency commits a felony of the third
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      degree.
2.0
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2.4
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