

1                                   A bill to be entitled  
 2           An act relating to false and fraudulent insurance claims;  
 3           amending s. 817.234, F.S.; requiring minimum mandatory  
 4           punishments for specified insurance fraud violations  
 5           involving personal injury protection insurance; providing  
 6           for professional license suspensions for certain health  
 7           care practitioners convicted of such violations; providing  
 8           an effective date.

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 10   Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (13) is added to section 817.234,  
 13   Florida Statutes, to read:

14           817.234 False and fraudulent insurance claims.--

15           (13) (a) For offenses committed on or after October 1,  
 16 2008, and notwithstanding any other law, a person committing a  
 17 violation of this section involving a claim under s. 627.736  
 18 shall be punished:

19           1. For a first violation, by a mandatory minimum term of  
 20 imprisonment of 2 years and a mandatory minimum fine of  
 21 \$200,000.

22           2. For a second or subsequent violation, by a mandatory  
 23 minimum term of imprisonment of 10 years and a mandatory minimum  
 24 fine of \$500,000.

25           (b)1. In addition to any other punishment, a health care  
 26 practitioner, as defined in s. 456.001, who is convicted of a  
 27 violation of this section involving a claim under s. 627.736  
 28 shall be punished by a minimum mandatory suspension of his or

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29 her professional license for 12 months by the appropriate board  
30 or department under s. 456.072.

31 2. For purposes of this paragraph, the term "convicted"  
32 means that there has been a determination of guilt as a result  
33 of a trial or the entry of a plea of guilty or nolo contendere,  
34 regardless of whether adjudication is withheld.

35 Section 2. This act shall take effect October 1, 2008.