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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/14/2011	.	
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The Committee on Health Regulation (Fasano) recommended the following:

1 **Senate Amendment to Amendment (958050) (with title**
2 **amendment)**

3
4 Delete lines 481 - 484
5 and insert:

6
7 Section 12. Paragraph (a) of subsection (1) and paragraph
8 (c) of subsection (2) of section 459.0137, Florida Statutes, are
9 amended, and paragraphs (f) and (g) are added to subsection (5)
10 of that section, to read:

11 459.0137 Pain-management clinics.-

12 (1) REGISTRATION.-



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13 (a) All privately owned pain-management clinics,
14 facilities, or offices, hereinafter referred to as "clinics,"
15 which advertise in any medium for any type of pain-management
16 services, or employ an osteopathic physician who is primarily
17 engaged in the treatment of pain by prescribing or dispensing
18 controlled substance medications, must register with the
19 department unless:

20 1. That clinic is licensed as a facility pursuant to
21 chapter 395;

22 2. The majority of the physicians who provide services in
23 the clinic primarily provide surgical services or interventional
24 pain procedures of the type routinely billed using surgical
25 codes;

26 3. The clinic is owned by a publicly held corporation whose
27 shares are traded on a national exchange or on the over-the-
28 counter market and whose total assets at the end of the
29 corporation's most recent fiscal quarter exceeded \$50 million;

30 4. The clinic is affiliated with an accredited medical
31 school at which training is provided for medical students,
32 residents, or fellows;

33 5. The clinic does not prescribe or dispense controlled
34 substances for the treatment of pain; or

35 6. The clinic is owned by a corporate entity exempt from
36 federal taxation under 26 U.S.C. s. 501(c)(3).

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40
41 Delete line 1837



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42 and insert:

43

44 additional penalties; amending s. 459.0137, F.S.;

45 providing an exemption from the requirement that all

46 privately owned pain-management clinics, facilities,

47 or offices that advertise in any medium for any type

48 of pain-management services, or employ an osteopathic

49 physician who is primarily engaged in the treatment of

50 pain by prescribing or dispensing controlled substance

51 medications, must register with the Department of

52 Health;