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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/29/2013 01:09 PM

Senator Grimsley moved the following:

Senate Amendment (with title amendment)

Delete lines 542 - 577

and insert:

the licensure, standards of practice, and operation of pain-
management clinics as defined in ss. 458.3265 and 459.0137 in
the following circumstances:

(a) The clinic is wholly owned and operated by a physician
who performs interventional pain procedures of the type
routinely billed using surgical codes, who has never been
suspended or revoked for prescribing a controlled substance in
Schedule II or Schedule III of s. 893.03 and drugs containing
Alprazolam in excessive or inappropriate quantities that are not



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14 in the best interest of a patient, and who:

15 1. Has completed a fellowship in pain medicine which is
16 approved by the Accreditation Council for Graduate Medical
17 Education or the American Osteopathic Association;

18 2. Is board-certified in pain medicine by the American
19 Board of Pain Medicine, board-certified by the American Board of
20 Interventional Pain Physicians; or

21 3. Has a board certification or subcertification in pain
22 management or pain medicine by a specialty board approved by the
23 American Board of Medical Specialties or the American
24 Osteopathic Association.

25 (b) The clinic is wholly owned and operated by a physician-
26 multispecialty practice if one or more board-eligible or board-
27 certified medical specialists has one of the qualifications
28 specified in subparagraph (a)1., subparagraph (a)2., or
29 subparagraph (a)3., performs interventional pain procedures of
30 the type routinely billed using surgical codes, and has never
31 been suspended or revoked for prescribing a controlled substance
32 in Schedule II or Schedule III of s. 893.03 and drugs containing
33 Alprazolam in excessive or inappropriate quantities that are not
34 in the best interest of a patient.

35 (2) Notwithstanding subsection (1), the preemption does not
36 prohibit a local government or political subdivision from
37 enacting an ordinance regarding local business taxes adopted
38 pursuant to chapter 205, any other local levy, charge, or fee
39 applied to businesses currently authorized by general law or the
40 Florida Constitution, and land use development regulations
41 adopted pursuant to chapter 163. A pain-management clinic in
42 which the regulation of its licensure, standards of practice,



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43 and operation

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

46 And the title is amended as follows:

47 Delete lines 52 - 56

48 and insert:

49 standards of practice, and operation of pain-
50 management clinics is preempted to the state under
51 certain circumstances; authorizing a local government
52 or political subdivision to enact certain ordinances;