



437058

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/07/2013	.	
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	.	
	.	

The Committee on Health Policy (Garcia) recommended the following:

1 **Senate Amendment to Amendment (861804) (with title**
2 **amendment)**

3
4 Delete lines 339 - 360

5 and insert:

6 recipients. If it is determined that fraud, willful
7 misrepresentation, abuse, or a crime did not occur, the payments
8 withheld must be paid to the provider within 14 days after such
9 determination ~~with interest at the rate of 10 percent a year.~~
10 ~~Any money withheld in accordance with this paragraph shall be~~
11 ~~placed in a suspended account, readily accessible to the agency,~~
12 ~~so that any payment ultimately due the provider shall be made~~



13 ~~within 14 days.~~ Amounts not paid within 14 days accrue interest
14 at the rate of 10 percent a year, beginning after the 14th day.

15 (b) The agency shall deny payment, or require repayment, if
16 the goods or services were furnished, supervised, or caused to
17 be furnished by a person who has been suspended or terminated
18 from the Medicaid program or Medicare program by the Federal
19 Government or any state.

20 (c) Overpayments owed to the agency bear interest at the
21 rate of 10 percent per year from the date of final determination
22 of the overpayment by the agency, and payment arrangements must
23 be made within 30 days after the date of the final order, which
24 is not subject to further appeal ~~at the conclusion of legal~~
25 ~~proceedings. A provider who does not enter into or adhere to an~~
26 ~~agreed-upon repayment schedule may be terminated by the agency~~
27 ~~for nonpayment or partial payment.~~

28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete lines 379 - 381

32 and insert:

33 Delete lines 13 - 31

34 and insert:

35 409.913, F.S.; increasing the number of years a
36 provider must keep records; revising provisions
37 specifying grounds for terminating a provider from the
38 program, for seeking certain remedies for violations,
39 and for imposing certain sanctions; providing a
40 limitation on the information the agency may consider
41 when making a determination of overpayment; specifying



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42 the type of records a provider must present to contest
43 an overpayment; deleting the requirement that the
44 agency place payments withheld from a provider in a
45 suspended account and revising when a provider must
46 reimburse