

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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|-----------------------|-------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Plasencia offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 456.0541, Florida Statutes is created to
8 read:

9 456.0541 Physician Fee Sharing Task Force.-

10 (1) The Physician Fee Sharing Task Force is created within
11 the department. The department shall use existing and available
12 resources to administer and support the activities of the task
13 force under this section.

14 (2) Members of the task force shall serve without
15 compensation and are not entitled to reimbursement for per diem

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16 or travel expenses. The task force shall consist, at a minimum,
17 of the following members:

18 (a) The State Surgeon General or his or her designee, who
19 shall serve as the chair of the task force.

20 (b) The Secretary of Health Care Administration or his or
21 her designee.

22 (c) The Attorney General or his or her designee.

23 (d) Two members of the Legislature appointed by the
24 Governor.

25 (e) Two members of the Senate appointed by the President
26 of the Senate.

27 (f) Two members of the House of Representatives appointed
28 by the Speaker of the House or Representatives.

29 (g) Two representatives of hospitals or facilities
30 licensed under chapter 395, who each deal regularly with
31 healthcare fraud and abuse matters, particularly those relating
32 to the federal False Claims Act, Ethics in Patient Referrals Act
33 of 1989, and anti-kickback issues, appointed by the Secretary of
34 Health Care Administration.

35 (h) One General Counsel of a health insurer or his or her
36 designee who is familiar with healthcare fraud and abuse
37 matters, particularly those relating to the federal False Claims
38 Act, Ethics in Patient Referrals Act of 1989, and anti-kickback
39 issues, appointed by the Secretary of Health Care
40 Administration.

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41 (j) Five health care practitioners, each of whom practices
42 in a different area of medicine, appointed by the State Surgeon
43 General.

44 (k) One representative of an organization that represents
45 health care practitioners and who is familiar with healthcare
46 fraud and abuse matters, particularly those relating to civil
47 False Claims Act, Ethics in Patient Referrals Act of 1989, and
48 anti-kickback issues, appointed by the President of the Senate.

49 (l) One representative of the Florida Bar, whose practice
50 area primarily involves healthcare fraud and abuse matters,
51 particularly those relating to civil False Claims Act, Ethics in
52 Patient Referrals Act of 1989, and anti-kickback issues,
53 appointed by the Executive Director of the Florida Bar.

54 (m) Two Representatives from companies whose primary
55 business function is the development and deployment of a
56 certified electronic health record, appointed by the Speaker of
57 the House of Representatives.

58 (n) Two representatives from companies whose primary
59 business function is the development and deployment of health
60 information technology, such as population health or data
61 analytics which is not a certified electronic health record,
62 appointed by the President of the Senate.

63 (o) Two representatives from a company whose primary
64 business function is the development and deployment of smart

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65 medical devices, such as remote patient monitoring, appointed by
66 the Speaker of the House of Representatives.

67 (p) One representative from an investment company whose
68 investment portfolio is comprised of at least 20% health
69 information technology investments, appointed by the President
70 of the Senate.

71 (3) The task force shall develop and evaluate policy
72 proposals to address barriers to innovation and modernization of
73 provider payment models created by the Ethics in Patient
74 Referrals Act of 1989, including policy proposals for:

75 (a) Implementing and maintaining alternative payment
76 models.

77 (b) Increasing or extending existing safe harbor
78 provisions to include physician practice groups.

79 (c) Reforming the liability standard for violations.

80 (4) The task force shall convene its first meeting by June
81 1, 2018, and shall meet as often as necessary to fulfill its
82 responsibilities under this section. Meetings may be conducted
83 in person, by teleconference, or by other electronic means.

84 (5) The task force shall submit a report by December 1,
85 2018, to the Governor, the President of the Senate, and the
86 Speaker of the House of Representatives that includes its
87 findings, conclusions, and recommendations.

88 (6) This section expires January 1, 2019.
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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to physician fee sharing; establishing the
Physician Fee Sharing Task Force administratively housed in the
Department of Health to address barriers to innovation and
modernization of provider payment models; providing for duties
and membership of the task force; requiring a report to the
Governor and Legislature by a specified date; providing for
expiration of the task force; providing an effective date.