

1 A bill to be entitled
 2 An act relating to payments for health care providers
 3 and surgical procedures under workers' compensation;
 4 amending s. 440.13, F.S.; increasing the maximum
 5 amounts of certain witness fees related to workers'
 6 compensation cases; increasing the maximum
 7 reimbursements for physicians and surgical procedures
 8 under workers' compensation; providing an effective
 9 date.

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

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13 Section 1. Subsection (10) and paragraph (b) of subsection
 14 (12) of section 440.13, Florida Statutes, are amended to read:

15 440.13 Medical services and supplies; penalty for
 16 violations; limitations.—

17 (10) WITNESS FEES.—Any health care provider who gives a
 18 deposition shall be allowed a witness fee. The amount charged by
 19 the witness may not exceed \$300 ~~\$200~~ per hour. An expert witness
 20 who has never provided direct professional services to a party
 21 but has merely reviewed medical records and provided an expert
 22 opinion or has provided only direct professional services that
 23 were unrelated to the workers' compensation case may not be
 24 allowed a witness fee in excess of \$300 ~~\$200~~ per day.

25 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM

26 REIMBURSEMENT ALLOWANCES.—

27 (b) It is the intent of the Legislature to increase the
 28 schedule of maximum reimbursement allowances for selected
 29 physicians effective January 1, 2004, and to pay for the
 30 increases through reductions in payments to hospitals. Revisions
 31 developed pursuant to this subsection are limited to the
 32 following:

33 1. Payments for outpatient physical, occupational, and
 34 speech therapy provided by hospitals shall be reduced to the
 35 schedule of maximum reimbursement allowances for these services
 36 which applies to nonhospital providers.

37 2. Payments for scheduled outpatient nonemergency
 38 radiological and clinical laboratory services that are not
 39 provided in conjunction with a surgical procedure shall be
 40 reduced to the schedule of maximum reimbursement allowances for
 41 these services which applies to nonhospital providers.

42 3. Outpatient reimbursement for scheduled surgeries shall
 43 be reduced from 75 percent of charges to 60 percent of charges.

44 4. Maximum reimbursement for a physician licensed under
 45 chapter 458 or chapter 459 shall be increased to 200 ~~110~~ percent
 46 of the reimbursement allowed by Medicare, using appropriate
 47 codes and modifiers or the medical reimbursement level adopted
 48 by the three-member panel as of January 1, 2003, whichever is
 49 greater.

50 5. Maximum reimbursement for surgical procedures shall be

51 increased to 200 ~~140~~ percent of the reimbursement allowed by
52 Medicare or the medical reimbursement level adopted by the
53 three-member panel as of January 1, 2003, whichever is greater.

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55 The department, as requested, shall provide data to the panel,
56 including, but not limited to, utilization trends in the
57 workers' compensation health care delivery system. The
58 department shall provide the panel with an annual report
59 regarding the resolution of medical reimbursement disputes and
60 any actions pursuant to subsection (8). The department shall
61 provide administrative support and service to the panel to the
62 extent requested by the panel. For prescription medication
63 purchased under the requirements of this subsection, a
64 dispensing practitioner shall not possess such medication unless
65 payment has been made by the practitioner, the practitioner's
66 professional practice, or the practitioner's practice management
67 company or employer to the supplying manufacturer, wholesaler,
68 distributor, or drug repackager within 60 days of the dispensing
69 practitioner taking possession of that medication.

70 Section 2. This act shall take effect July 1, 2023.