

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 paragraphs (f) and (g) of  
 14           subsection (12) of section 440.13, Florida Statutes, are amended  
 15           to read:

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

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

26 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
 27 REIMBURSEMENT ALLOWANCES.—

28 (f) Maximum reimbursement for a physician licensed under  
 29 chapter 458 or chapter 459 shall be 150 ~~110~~ percent of the  
 30 reimbursement allowed by Medicare, using appropriate codes and  
 31 modifiers or the medical reimbursement level adopted by the  
 32 three-member panel as of January 1, 2003, whichever is greater.

33 (g) Maximum reimbursement for surgical procedures shall be  
 34 150 ~~140~~ percent of the reimbursement allowed by Medicare or the  
 35 medical reimbursement level adopted by the three-member panel as  
 36 of January 1, 2003, whichever is greater.

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 38 The department, as requested, shall provide data to the panel,  
 39 including, but not limited to, utilization trends in the  
 40 workers' compensation health care delivery system. The  
 41 department shall provide the panel with an annual report  
 42 regarding the resolution of medical reimbursement disputes and  
 43 any actions pursuant to subsection (8). The department shall  
 44 provide administrative support and service to the panel to the  
 45 extent requested by the panel. For prescription medication  
 46 purchased under the requirements of this subsection, a  
 47 dispensing practitioner shall not possess such medication unless  
 48 payment has been made by the practitioner, the practitioner's  
 49 professional practice, or the practitioner's practice management  
 50 company or employer to the supplying manufacturer, wholesaler,

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51 distributor, or drug repackager within 60 days of the dispensing  
52 practitioner taking possession of that medication.

53       Section 2. This act shall take effect July 1, 2024.