

By Senator Bradley

6-00214-24

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1 A bill to be entitled
2 An act relating to medical treatment under the
3 Workers' Compensation Law; amending s. 440.13, F.S.;
4 increasing limits on witness fees charged by certain
5 witnesses; increasing maximum reimbursement allowances
6 for physicians and surgical procedures; providing an
7 effective date.

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

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11 Section 1. Subsection (10) and paragraphs (f) and (g) of
12 subsection (12) of section 440.13, Florida Statutes, are amended
13 to read:

14 440.13 Medical services and supplies; penalty for
15 violations; limitations.—

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

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

26 (f) Maximum reimbursement for a physician licensed under
27 chapter 458 or chapter 459 shall be 200 ~~110~~ percent of the
28 reimbursement allowed by Medicare, using appropriate codes and
29 modifiers or the medical reimbursement level adopted by the

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30 three-member panel as of January 1, 2003, whichever is greater.

31 (g) Maximum reimbursement for surgical procedures shall be
32 200 ~~140~~ percent of the reimbursement allowed by Medicare or the
33 medical reimbursement level adopted by the three-member panel as
34 of January 1, 2003, whichever is greater.

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36 The department, as requested, shall provide data to the panel,
37 including, but not limited to, utilization trends in the
38 workers' compensation health care delivery system. The
39 department shall provide the panel with an annual report
40 regarding the resolution of medical reimbursement disputes and
41 any actions pursuant to subsection (8). The department shall
42 provide administrative support and service to the panel to the
43 extent requested by the panel. For prescription medication
44 purchased under the requirements of this subsection, a
45 dispensing practitioner shall not possess such medication unless
46 payment has been made by the practitioner, the practitioner's
47 professional practice, or the practitioner's practice management
48 company or employer to the supplying manufacturer, wholesaler,
49 distributor, or drug repackager within 60 days of the dispensing
50 practitioner taking possession of that medication.

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