

By the Committee on Fiscal Policy; and Senator Bradley

594-03079-24

2024362c1

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.

8  
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.

35  
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 January 1, 2025.