

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.

10

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

12

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.

37
 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,

CS/CS/HB 161

2024

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 January 1, 2025.