

1 A bill to be entitled

2 An act relating to workers' compensation fees;
3 amending s. 440.13, F.S.; revising the maximum
4 reimbursement allowance for inpatient hospital care;
5 revising a date by which the panel shall approve the
6 allowance; revising the maximum compensable charges
7 for hospital outpatient care; making a conforming
8 change; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Paragraph (a) of subsection (12) of section
13 440.13, Florida Statutes, is amended to read:

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

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

18 (a) A three-member panel is created, consisting of the
19 Chief Financial Officer, or the Chief Financial Officer's
20 designee, and two members to be appointed by the Governor,
21 subject to confirmation by the Senate, one member who, on
22 account of present or previous vocation, employment, or
23 affiliation, shall be classified as a representative of
24 employers, the other member who, on account of previous
25 vocation, employment, or affiliation, shall be classified as a
26 representative of employees. The panel shall determine statewide

27 | schedules of maximum reimbursement allowances for medically
28 | necessary treatment, care, and attendance provided by
29 | physicians, hospitals, ambulatory surgical centers, work-
30 | hardening programs, pain programs, and durable medical
31 | equipment. The maximum reimbursement allowances for inpatient
32 | hospital care shall be based on a rate of up to 140 percent of
33 | the Medicare inpatient prospective payment system ~~a schedule of~~
34 | ~~per diem rates~~, to be approved by the three-member panel no
35 | later than October 1st of each year for the following calendar
36 | year ~~March 1, 1994~~, to be used in conjunction with a
37 | precertification manual as determined by the department,
38 | including maximum hours in which an outpatient may remain in
39 | observation status, which shall not exceed 23 hours. No later
40 | than October 1st of each year for the following calendar year,
41 | the three-member panel must approve all compensable charges for
42 | hospital outpatient care, which shall be reimbursed at up to 140
43 | percent of the Medicare outpatient prospective payment system ~~75~~
44 | ~~percent of usual and customary charges~~, except as otherwise
45 | provided by this subsection. Annually, the three-member panel
46 | shall adopt schedules of maximum reimbursement allowances for
47 | physicians, hospital inpatient care, hospital outpatient care,
48 | ambulatory surgical centers, work-hardening programs, and pain
49 | programs. An individual physician, hospital, ambulatory surgical
50 | center, pain program, or work-hardening program shall be
51 | reimbursed either the agreed-upon contract price or the maximum
52 | reimbursement allowance in the appropriate schedule.

53 Section 2. Effective January 1, 2015, paragraph (b) of
54 subsection (12) of section 440.13, Florida Statutes, is amended
55 to read:

56 440.13 Medical services and supplies; penalty for
57 violations; limitations.—

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

60 (b) It is the intent of the Legislature to increase the
61 schedule of maximum reimbursement allowances for selected
62 physicians effective January 1, 2004, and to pay for the
63 increases through reductions in payments to hospitals. Revisions
64 developed pursuant to this subsection are limited to the
65 following:

66 1. Payments for outpatient physical, occupational, and
67 speech therapy provided by hospitals shall be reduced to the
68 schedule of maximum reimbursement allowances for these services
69 which applies to nonhospital providers.

70 2. Payments for scheduled outpatient nonemergency
71 radiological and clinical laboratory services that are not
72 provided in conjunction with a surgical procedure shall be
73 reduced to the schedule of maximum reimbursement allowances for
74 these services which applies to nonhospital providers.

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

77 3.4. Maximum reimbursement for a physician licensed under
78 chapter 458 or chapter 459 shall be increased to 110 percent of

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79 | the reimbursement allowed by Medicare, using appropriate codes
80 | and modifiers or the medical reimbursement level adopted by the
81 | three-member panel as of January 1, 2003, whichever is greater.

82 | ~~4.5.~~ Maximum reimbursement for surgical procedures shall
83 | be increased to 140 percent of the reimbursement allowed by
84 | Medicare or the medical reimbursement level adopted by the
85 | three-member panel as of January 1, 2003, whichever is greater.

86 | Section 3. Except as otherwise provided in this act, this
87 | act shall take effect July 1, 2014.