The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

BANKING AND INSURANCE Senator Richter, Chair Senator Smith, Vice Chair

MEETING DATE:	Wednesday, November 16, 2011
	8:30 —11:30 a.m.
PLACE:	Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Richter, Chair; Senator Smith, Vice Chair; Senators Alexander, Bennett, Fasano, Gaetz, Hays, Margolis, Negron, Oelrich, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Discussion of Personal Injury Protection (PIP): The committee will receive testimony from stakeholders regarding potential PIP reform.		Discussed	

Other Related Meeting Materials

Non- Physician Owned Clinic Perspective On PIP Reform

Presented By: Gary Brown, CEO Choice Medical Centers

License Reform

- Clinics licensed under Chapter 400 and doctors licensed under Chapters 458,459 & 460 can bill and receive reimbursement through PIP.
- All other persons licensed under any other Chapter shall not be permitted to hire above their scope of license. This would prohibit lower level licensees from being reimbursed unless such licensees applies for clinic licensure under chapter 400.

Licensed Clinics Owning Attorney Referral Services

- Our Clinics do not participate in attorney referral services.
- Therefore, please defer to The Florida Bar on the issues of prohibited activities by attorneys.

Treating Patients based on Medical Condition vs. Treatment based on Insurance Benefits

- In our clinics, we are prohibited from interfering with the diagnosis and treatment of patients.
- All of our doctors are on salary with no financial interest in how the patients are treated.
- Our doctors are unaware of insurance limits or amounts billed. They only have access to electronic encounter forms which contain CPT codes.

Clinic Ownership

- AHCA has enacted excellent rules:
 - Convicted felons involved in fraud are prohibited from clinic ownership.
 - Required Level 2 FBI background screening of owners and all staff who come in contact with the patients.
 - A prospective clinic owner must provide a projected financial statement and demonstrate the source of funds, to provide minimal capital requirements.
 - Review of location leases and medical directorships, to ensure no "strawman clinics".

Clinic Ownership Cont...

- All leases to be executed by an owner or corporative executive.
- Complete review of medical director's agreement, and billing processes (initially and every two years)
- Inspection of equipment and certificates (every two years)
- Inspection of record keeping (every two years)

Clinic Ownership Cont...

- Additional Measures our Clinics take to ensure against fraud:
 - Encourage employees to report suspected improper activities.
 - Constant education to all employees regarding anti-fraud measures.
 - Routinely holding compliance training conducted by board certified healthcare attorneys for education of permitted activities and how to report improper activity.
 - Accreditation by JCAHO, insuring patient safety and proper record keeping of all prescribed and rendered services.

Clinic Ownership Cont...

- If a patient is treating and attempts to commit fraud or asks for money we:
 - Dismiss the patient
 - Withdrawal the claim from the insurance company
 - Report the activity to the insurance company's SIU and DOI
 - Diligently pursue collection efforts directly against the patient

THE FLORIDA SENATE	
APPEARANCE REC //	
Meeting Date TopicP1P	Bill Number
Name BICC NEWTON	(if applicable) Amendment Barcode (if applicable) (if applicable)
Job Title EXECUTIVE DIRECTOR	
Address 3006 W FRIMMON BLUD SHEB	Phone 813-877-6712 E-mail BIUNO FCAMURA
77770007 City State Zip	E-mail DIUNO FUNCTION
Speaking: For Against Information Representing FLOCIDA- CONSUMER ACTION A	returnek
Appearing at request of Chair: Yes No Lobbyis	t registered with Legislature: 📈 Yes 🗌 No
While it is a Senate tradition to encourage public testimony, time may not permi meeting. Those who do speak may be asked to limit their remarks so that as ma	
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THE FLORIDA SENATE		
Deliver BOTH copies of this form to the Senator or Senate Profession		
Topic Florida PIP Workshop	Bill Number	
Name James J. Pratt Job Title Florida Staff Counsel Director - GEIC	Amendment Barcode	
Address 500 N. Westshore Blud. ste 850 Street		
Tampa FL 33609 City State Zip	E-mail jpratt @geico.com	
Speaking: For Against Information		
Representing <u>GEICO</u>		
Appearing at request of Chair: X Yes No Lobbyist	t registered with Legislature: 🦳 Yes 🔀 No	

THE FLORIDA SENATE	1
APPEARANCE REC	ORD
(Deliver BOTH copies of this form to the Senator or Senate Profession Meeting Date	al Staff conducting the meeting)
Topic PiP	Bill Number Pip workshep
Name Aul LAMberT	Amendment Barcode
Job Title General Counsel	(if applicable)
Address 502 North Azlams STRECT	Phone 850 224-9397
Street <u>TA/IAhassee</u> <u>FL</u> 3301 State Zin	
Speaking: For Against X Information	, CUM
Representing Florida Chirogratic Ass	0
	st registered with Legislature: 🔀 Yes 🗌 No

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THE FLORIDA SENATE APPEARANCE REC (Deliver BOTH copies of this form to the Senator or Senate Professio	
Meeting Date Topic PIP Name Dr Chip Smith Job Title Chiropractor	Bill Number Dip Workshap (if applicable) Amendment Barcode
Address <u>555</u> AUC LNW <u>Street</u> <u>Winter Haven, F1</u> <u>330B1</u> <u>City</u> Speaking: For Against MInformation	Phone 863-293-4249 E-mail Dr.H.b. Sm. The Vesizon. net
Representing <u>F1. Chir opractic Assoc</u> Appearing at request of Chair: Yes No Lobbyis	st registered with Legislature:

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE	
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l/l/c/l(c) (Deliver BOTH copies of this form to the Senator or Senate Professional S	Staff conducting the meeting)
Meeting Date	
Topic	Bill Number
Name Dr. Richard R. Thacker 2,00	(if applicable) Amendment Barcode
Job Title Thysician osteonothic (Pip works	storp fare (rember) (if applicable)
Address 988HUM 2770 Capital Medical 6	Hille (850) 219 2342
Street Tallahassee F(a 32308 City State Zip	E-mail RFT DO CAOL. COM
City State Zip Speaking: For Against Information	
Representing FOMA AND FMA	
Appearing at request of Chair: Yes No Lobbyist r	registered with Legislature: 🔄 Yes 🛃 No
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The Florida Senate	
APPEARANCE RE	CORD
(Deliver BOTH copies of this form to the Senator or Senate Profes	sional Staff conducting the meeting)
Meeting Date	\vee
Topic PIP	Bill Number
	(if applicable)
Name Angla Vieterson	Amendment Barcode(if applicable)
Job Title La Affairs Ducto-	(j - F
Address <u>Éò</u> G	Phone
Street	E-mail
City State Zip	
Speaking: For Against Information	
Representing	
Appearing at request of Chair: Zes No Lobb	yist registered with Legislature: 📈 Yes 🗌 No

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THE FLORIDA SENATE	
APPEARANCE REC	ORD
(Deliver BOTH copies of this form to the Senator or Senate Profession Meeting Date	nal Staff conducting the meeting)
Topic PIP	Bill NumberNA
Name CFO Jeff Atwater	(if applicable) Amendment Barcode
	(if applicable)
Address The Capital	Phone 413-2802
Tollahapper, FL 32399 City State Zip	E-mail jeff. ztwzter@myfloridz6.
Speaking: For Against 🔀 Information	
Representing <u>CFO</u> DF5	
Appearing at request of Chair: X Yes No Lobbyis	t registered with Legislature:YesNo
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THE FLORIDA SENATE	
APPEARANCE REC (Deliver BOTH copies of this form to the Senator or Senate Profession	
Topic	Bill Number
Name	Amendment Barcode
Address 306 E Callede Pla	Phone 222 - 2800
City State Zip	E-mail <u>DIBOMA.Or</u>
Speaking: For Against Information Representing	1501
Appearing at request of Chair:	t registered with Legislature: Yes No

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THE FLORIDA SENATE	
APPEARANCE REC	ORD
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Topic <u>PIP</u>	Bill Number
Name Richard Tracker, D.D.	(if applicable) Amendment Barcode
Job Title Physician	(i) applicable)
Address 2007 apalachee Parkway	Phone 878.73(04
Tallavassel, H 30301 City State Zip	E-mail
Speaking: For Against Information	
Representing FL Medical association/FL	Ostepathic Medical associates
Appearing at request of Chair: Yes No Lobbyis	t registered with Legislature: 🗌 Yes 🔀 No

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The Florida Senate APPEARANCE REC Image: I	
	Bill Number
Name <u>Gary Brown</u> Job Title CEO Choice Medicul Center	Amendment Barcode
	Phone $561 - 988 - 1022$
Speaking: \Box For \Box Against \Box I 40 State Zip	E-mail <u>gbrown@</u> ppmsinc, Com
Representing Choice Medical Centers	
Appearing at request of Chair: Yes No Lobbyis	t registered with Legislature: 🗌 Yes XNo

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE	
	ORD
Nov. 16, 2011 (Deliver BOTH copies of this form to the Senator or Senate Professional Meeting Date	al Staff conducting the meeting)
TOPIC FLORIDA PIP Workshop	Bill Number
Name Bonny Gordon	Amendment Barcode
Job Title SR. COUNSEL	(if applicable)
Address GEICO Plaza	Phone 301-986-2653
Washington, DC 20076	E-mail bgordon@geico.com
Speaking: For Against Information	
Representing <u>GELCO</u>	
Appearing at request of Chair: Yes No Lobbyist	registered with Legislature: Yes No

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THE FLORIDA SENATE APPEARANCE REC []] [] [] [] [] [] [] [] [] [] [] [] []	
Topic PIP Workshop Name Todd E. Copeland Job Title Attorney Address 338 N. Magnolia Address 338 N. Magnolia Street Orlando FL: Orlando FL: 32801 Speaking: For Against Representing FL: Justice	Bill Number
Appearing at request of Chair: Yes No Lobbyis	at registered with Legislature: 🗌 Yes 🔽 No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE	
	ORD
(Deliver BOTH copies of this form to the Senator or Senate Profession	al Staff conducting the meeting)
Meeting Date	
TOPIC AUTO INSURANCE / PIP	Bill Number NONE-WORKSHOP
Name GLEN JED '	(if applicable) Amendment Barcode
Job Title ATTORNEY	
Address <u>7171 N. FEDERAL HWY</u> <u>Street</u> <u>BOCA RATON, FL 33487</u> <u>City</u> <u>State</u> <u>Zip</u>	Phone (561) 995-1966 E-mail GGED @ ELLIS ANDGED. COM
BOCA RATON, FL 33487	E-mail GGED @ ELLIS ANDGED
Speaking: For Against Information	
Representing _ HEALTH CARE PROVIDER	? S
Appearing at request of Chair: Yes No Lobbyist	t registered with Legislature: 🔲 Yes 🏹 No
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THE FLORIDA SENATE	ORD
(Deliver BOTH copies of this form to the Senator or Senate Profession Meeting Date	
Topic Propries Propries Name Allen McGlynn Job Title State Counsel Address	Bill Number
	t registered with Legislature: XYes No

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THE FLORIDA SENATE APPEARANCE REC (Deliver BOTH copies of this form to the Senator or Senate Professional Meeting Date	
Topic Insurance-PIP Reform Name Maureen Hasselmann Job Title Chim Section Manager Address	Bill Number
City State Zip Speaking: For Against Information Representing State Fav Fav	OS Et to Bron Lan
Appearing at request of Chair: Yes No Lobbyist While it is a Senate tradition to encourage public testimony, time may not permit meeting. Those who do speak may be asked to limit their remarks so that as may	

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THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES: Budget - Subcommittee on Transportation, Tourism, and Economic Development Appropriations, Vice Chair Reapportionment, Vice Chair Banking and Insurance Burdnet Budget Budget - Subcommittee on Finance and Tax Communications, Energy, and Public Utilities Criminal Justice Governmental Oversight and Accountability Rules

SENATOR GWEN MARGOLIS 35th District

November 16, 2011

Chair Richter,

Please excuse my absence from the Banking & Insurance Committee meeting. I am still home recovering from hip replacement surgery.

My Legislative staff will be in Tallahassee in my absence and should you need anything, please do not hesitate to contact them.

I look forward to seeing you at the next committee meeting.

Thank you again for your continued support and understanding.

Sincerely,

Senator Somen Margolia

Gwen Margolis State Senator

REPLY TO:

EPLT 10: □ 3050 Biscayne Boulevard, Suite 600, Miami, Florida 33137 (305) 571-5777 □ 414 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5121

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS President of the Senate MICHAEL S. "MIKE" BENNETT President Pro Tempore

CourtSmart Tag Report

 Startet: 11/16/2011 8:36:22 AM Endst: 11/16/2011 11:31:11 AM Length: 02:54:50 S3:709 AM Median Control S3:709 AM And Column. S3:733 AM Quorum. S3:741 AM Opening remarks by Chairman Richter. S4:23 SAM Angela Peterson, Legislative Affairs Director, Executive Office of the Governor recognized to present. S4:34:10 AM Four key issues to be addressed to reign in insurance costs. S4:44:10 AM Four key issues to be addressed to reign in insurance costs. S4:44:10 AM Second issue is lligation reform. S4:45:30 AM Chairman Richter recognizes CFO Atwater to present. S4:65:7 AM CFO Atwater makes comments regarding PIP. S4:65:7 AM CFO Atwater agrees with 4 points addressed by governor's office. S4:84:3 AM Neo tool ted to a geography or profiled driver. S5:01:3 AM AN to isolated to a geography or profiled driver. S5:01:3 AM S5:01:3 AM Fourda has 4 of the top 5 fraud cities in the nation, only behind New York City. S5:55:55 AM CFO Atwater responds. S5:71:4 AM Believe we can and should save PIP. S5:74:4 AM Sentar Kibster responds. S5:71:6 AM Believe we can and should save PIP. S5:74:6 AM Believe tresponds. S5:71:6 AM Sentar Kibster responds. S5:71:7 AM<th>Room: KN 412 Caption: Sena</th><th>2 Ite Committee on Banking</th><th>Case: g and Insurance</th><th></th><th>/pe: udge:</th>	Room: KN 412 Caption: Sena	2 Ite Committee on Banking	Case: g and Insurance		/pe: udge:
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9:15:25 AM	Senator Alexander recognized.
9:15:48 AM	Senator Alexander poses question about relationship between lawyer referral groups and clinics.
9:16:31 AM	CFO Atwater responds.
9:19:23 AM	Senator Alexander asks follow up question.
9:19:41 AM	What are you seeing in amount of legal costs compared to costs related to injuries?
9:20:22 AM	CFO Atwater responds.
9:20:45 AM	There is a trend line showing litigation is moving rapidly.
9:21:48 AM	Has repeatedly asked insurance industry for information to support litigation as a cost driver.
9:23:20 AM	Senator Bennett recognized.
9:24:00 AM	Problems at both ends of the spectrum.
9:24:46 AM 9:25:37 AM	CFO Atwater responds.
9:25:48 AM	Senator Fasano poses question to CFO Atwater. Why are we forcing people to have PIP when they have medical insurance?
9:26:16 AM	CFO Atwater responds.
9:27:11 AM	Legitimate conversation to ask if you have medical coverage can you waive PIP.
9:27:36 AM	Chairman Richter asks CFO Atwater to give specific proposals or needs to staff so they can assist.
9:29:10 AM	Bill Bell, General Coursel, Florida Hospital Association, recognized to present.
9:29:40 AM	Supports mandatory PIP coverage.
9:30:32 AM	Vitally important to keep some type of coverage because over 1/3 of the patients have no other coverage.
9:31:20 AM	If PIP repealed financial shift would occur and burden would be placed on hospitals.
9:31:37 AM	Support increase of \$10,000 PIP limit for at least emergency room visits.
9:32:09 AM	Hospital costs have risen, but PIP has remained the same.
9:33:09 AM	\$5000 reserve for physicians and this was designed to encourage on call doctors to come in.
9:33:41 AM	Are there any issues with timely payments for hospitals? Disputes are often over amounts paid.
9:34:11 AM	Can hospitals recognize when people are trying to lay out a fraudulent claim?
9:35:10 AM	Chairman Richter makes statement to Mr. Bell regarding suscpicious activity report.
9:35:38 AM	Is there any mechanism whatsoever that hospitals can or can recommend to report suspicious activity.
9:36:09 AM	By statute there are some instance where hospital has to make some reports to officials.
9:36:33 AM	Senator Smith asks if there is a median amount for an auto accident.
9:36:55 AM	Mr. Bell says is about \$4,700 in emergency room; life threatening as inpatient is closer to \$87,000.
9:37:40 AM 9:38:23 AM	Senator Oelrich makes statement regarding increase in PIP. Mr. Bell says increase should be set aside for emergency care.
9:38:38 AM	Senator Hays recognized.
9:39:02 AM	Chairman Richter responds.
9:39:16 AM	Senator Hays follows up.
9:39:33 AM	Mr. Bell responds.
9:40:05 AM	Senator Hays responds.
9:40:19 AM	Senator Smith recognized.
9:40:49 AM	Mr. Bell responds.
9:41:15 AM	Senator Smith responds with follow up question regarding soft tissue injuries.
9:41:34 AM	Mr. Bell responds.
9:41:39 AM	Senator Sobel asks question regarding reasons for litigation.
9:41:56 AM	Mr. Bell responds.
9:42:13 AM	Senator Sobel asks how much it takes hospitals to litigate these claims?
9:42:34 AM	Mr. Bell says he does not have the information but can get the information.
9:43:01 AM 9:43:11 AM	Chairman Richter recognizes Dr. Thacker. Richard Thacker, M.D., FL Medical Assoc. & FL Osteopathic Medical Assoc., begins presentation.
9:44:52 AM	Need to keep PIP benefit, needs to be increased.
9:45:01 AM	Reform requires scapel not a hatchet.
9:46:22 AM	Providers license is at risk during fradulent claims.
9:47:44 AM	Upwards of 30% of people in Florida are not insured and another 20% are under insured.
9:50:12 AM	Presents findings from workgroup he sits on.
9:53:28 AM	Fraud is about repetition, redundancy and over utilization.
9:55:11 AM	Does not feel it cannot be done.
9:55:44 AM	Chairman Richter recognizes Senator Negron.
9:56:29 AM	Do you see insurance companies not making timely payments or partial payments? Is there a problem?
9:56:50 AM	Dr. Thacker responds. It's becoming a problem.
9:58:38 AM	Senator Negron - how often do you make follow up referrals?
9:58:58 AM	Dr. Thacker responds.
9:59:26 AM	In his case, more referrals would be to a physical therapist versus a massage therapist.
9:59:51 AM	Senator Gaetz recognized.
10:00:53 AM	What would be the therapeutic consequences if we say we're not covering massage therapy under PIP?

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10:01:32 AM	Dr. Thacker responds.
10:02:49 AM	Massage therapy is probably over utilized. Regulation may be difficult.
10:03:25 AM	Chairman Richter poses question regarding examination under oath.
10:04:34 AM	Dr. Thacker responds.
10:05:30 AM	Chairman Richter poses follow up question.
10:05:53 AM	Dr. Thacker responds you can do it through licensure and you should hold people accountable.
10:06:32 AM	Senator Sobel recognized and asks question regarding electronic claims.
10:07:26 AM	Dr. Thacker responds most of it is still paper trail for auto claims.
10:07:45 AM	Senator Oelrich recognized.
10:07:57 AM	Does the Florida Medical Assoc. or Osteopathic Medical Assoc. have a position as to whether a massage is
a medically reco	ognized service.
10:08:31 AM	Dr. Thacker responds "it can be."
10:08:49 AM	Paul Lambert recognized.
10:09:15 AM	Eight specific proposals to share.
10:10:53 AM	Close the loop hole in clinic licensure statute.
10:11:07 AM	When healthcare provider gets license, make it limited to one location.
10:11:28 AM	Make health care providers list all places of service.
10:11:48 AM	Suspend or revoke licensure of those who fraudulently file clinic papers.
10:12:09 AM	Immediately suspend false clinic practices.
10:12:23 AM	Report patient brokering and immunity.
10:12:32 AM	Require DFS to provide a provider friendly method to report fraud.
10:12:50 AM	Require DOH to provide investigators, training, and prosecution of fraudulent claims, doctors, etc.
10:13:58 AM	Chairman Richter poses question.
10:14:24 AM	Senator Oelrich asked if the list could be shared with members.
10:14:36 AM	Senator Oelrich asked if there was any mention of lawyers in the list.
10:14:51 AM	Chairman Richter says we will get to that issue.
10:15:00 AM	Dr. Chip Smith (chiropractor) recognized.
10:17:00 AM	Sometimes factors weigh into making diagnosis for PIP claims (gender, age, previous injuries, etc.).
10:18:36 AM	Speaks to treatment for soft tissue injuries.
10:19:48 AM	Chairman Richter makes statement to Dr. Smith.
10:20:11 AM 10:20:51 AM	Dr. Smith responds that in his town, there are 2 major medical facilities, and PIP injuries are not treated.
10:20:51 AM	Chiropractors are one of the main stages for treating PIP injuries. Senator Gaetz recognized.
10:21:30 AM	Is there therapeutic justification for the explosion of massage therapy claims?
10:21:58 AM	Dr. Smith replied he is not able to answer that question.
10:22:13 AM	Senator Gaetz asks follow up.
10:22:47 AM	Have you increased your referrals to massage therapists?
10:22:55 AM	Dr. Smith says he does use massage therapists and they do provide treatment for soft tissue injuries.
10:23:17 AM	Senator Negron asked if he has massage therapist in his office.
10:23:31 AM	Dr. Smith responds he does not have any massage therapists in his practice.
10:23:48 AM	Senator Negron asks follow up question regarding reasonableness of care.
10:23:57 AM	Dr. Smith states there is research that speaks to ranges of care.
10:24:26 AM	Senator Negron states 1 is too few, 1000 is too many during a six month time period.
10:24:44 AM	Dr. Smith says there is a range depends on case. You may see a patient for 3-4 months.
10:25:32 AM	Sometimes you may see them every day for the 1st week, and then based on medical necessity, varies.
10:26:05 AM	Dr. Smith replies 25 to 50 to 60 visits would be a fair range.
10:26:27 AM	Gary Brown, Choice Medical Centers, recognized.
10:27:50 AM	Exemptions should not allow non qualified providers to employ doctors and osteopathic doctors.
10:29:31 AM	Their doctors are not privy to insurance limits, etc. They are free to practice medicine.
10:29:50 AM	Cannot employ any convicted felon who is convicted of fraud nor can they be an owner.
10:30:35 AM	Level II background investigation conducted on all employees.
10:30:48 AM	Prospective owners must provide financial background information.
10:31:10 AM	Location leases and medical directives are reviewed (no straw men in process).
10:31:36 AM	All of leases are executed by an owner of the company.
10:31:49 AM	Complete review of medical billing, record keeping, etc. is completed by an AHCA representative every two
years.	
10:32:24 AM	Encourages employees to report suspected fraud. Hold company compliance training.
10:33:06 AM	If a patient requests scheme or fraud, they report to insurance company, dismiss patient and seek payment.
10:34:12 AM	Chairman Richter poses question to Mr. Brown.
10:34:45 AM	Mr. Brown says he doesn't understand why clinics would self-exempt.
10:35:23 AM	Chairman Richter asks if Mr. Brown is required to report fraudulent activity. What response do you get?
10:35:49 AM	Mr. Brown responds.

- 10:36:19 AM Senator Oelrich asks about employees breakdown. Mr. Brown says he has 7 MDs, 2 DOs, radiologists, 3 PA's, 18 medical assistants and administrative staff. 10:36:37 AM 10:37:26 AM Senator Oelrich asks if the facilities are emergency related or clinic related. 10:37:45 AM Mr. Brown says they can handle post-emergency room visits (fractures, etc.). 10:38:28 AM More cost effective than emergency room. Equipped to handle some emergencies. 10:38:50 AM Emergency rooms are equipped to stablize patients. 10:39:17 AM Senator Oelrich asks if he has a chiropractor employed? **10:39:36 AM** Mr. Brown says he does provide some chiropractic therapy to patients. 10:40:02 AM Senator Oelrich asked follow up question. 10:40:11 AM Mr. Brown responded. 10:40:22 AM Senator Gaetz recognized. 10:40:47 AM Mr. Brown responds. 10:41:47 AM Limiting clinic ownership to those who fall under 458, 459 and 460, electronic billing are two top issues. 10:42:58 AM Third part would be to have substantial penalities for people who are practicing fraud. 10:43:20 AM Senator Negron recognized. 10:44:06 AM Mr. Brown responded that he has no problem with billing and has to hire attorneys from time to time. 10:44:29 AM Senator Negron asked follow up question regarding filing of suit. 10:44:44 AM Mr. Brown responded that a demand must be filed in order to get paid. 10:45:08 AM Some carrier you have to file suit. 10:45:32 AM Senator Negron asks follow up question that we should not allow non-physicians to own clinics - rationale? 10:46:10 AM Mr. Brown responded that his model is probably the safest because the physician is not aware of any admin service 10:46:42 AM Far more rigorous licensing and review required. 10:47:40 AM Chairman Richter recognizes Senator Bennett. 10:48:05 AM Senator Bennett asks question regarding electronic filing, demand letters, etc. 10:49:24 AM Mr. Brown would support legislation that would require insurance company to provide electronic claim filing. 10:50:08 AM Senator Sobel recognized. 10:50:48 AM Mr. Brown states his company's policy is to not settle claims because they have fee schedules. Almost alwavs wins 10:51:14 AM or if patient engages in fraud. 10:51:25 AM Senator Sobel asked about percentage of budget for fees. 10:51:41 AM Mr. Brown states its very little. 10:52:41 AM Senator Sobel asks follow up question - does anyone ask "What is the plan?" 10:53:48 AM Mr. Brown responds. 10:54:09 AM Senator Smith recognized. 10:54:48 AM Mr. Brown stated demand letter gives extra time to pay. 10:55:32 AM Senator Smith asks follow up question. 10:55:59 AM Mr. Brown stated they routinely have to send out the demand letter on the 31st day. 10:56:25 AM Senator Alexander recognized. 10:57:51 AM Mr. Brown responds to Senator Alexander's question. 10:58:43 AM Senator Alexander asks follow up question. 11:00:56 AM Mr. Brown responds. 11:02:23 AM Chairman Richter makes statement regarding next group of presenters. 11:03:08 AM Jim Pratt, Director, Staff Counsel for GEICO recognized to present 11:04:45 AM Fraud prevention is number 1 objective - most effective tool is examination under oath 11:05:12 AM Believes statutory provision for examination under oath is single greatest tool 11:05:54 AM Would like to examine provider under policy 11:06:29 AM Attorneys fees drive PIP (fee multiplier) 11:07:05 AM Advocate abolishing fee multiplier and cap on attorneys fees 11:07:43 AM Provide reform and utilization review (billings for excessive treatment/modalities) 11:09:19 AM Exemption on clinic licensing 11:10:11 AM Bonny Gordon, Senior Counsel, GEICO, recognized, 11:10:39 AM Maureen Hasselman, State Farm insurance, recognized. 11:11:52 AM 83 investigators dedicated to (75 to PIP, 8 to homeowners) fraud investigations 11:14:31 AM 106% increase in PIP claims 11:18:28 AM Senator Negron recognized. 11:20:57 AM Mr. Pratt responds. 11:21:18 AM Senator Negron asks how many claims results in demand letter being sent? 11:21:33 AM Mr. Pratt responds he does not know the number. 11:21:43 AM Senator Negron - what is the typical attorney's fee (average fee) for defense counsel? 11:22:04 AM Mr. Pratt responds most cases are resolved prior to a court hearing. 11:22:40 AM Senator Negron: What is average plaintiff's fee in PIP cases?

- 11:22:57 AM Alan McGlynn recognized to respond.
- 11:25:08 AM Chairman Richter makes statement regarding workshop and each component.
- 11:25:56 AM Chairman Richter asks each party to come back next committee meeting to continue addressing PIP concerns.
- 11:26:57 AM
- Senator Negron recognized. 11:27:03 AM Mr. McGlynn recognized.
- 11:27:42 AM Senator Negron asked follow up question.
- 11:28:21 AM Senator Bennett recognized.
- 11:29:16 AM Chairman Richter makes statement.
- 11:29:38 AM Senator Smith recognized.
- 11:30:14 AM Alan McGlynn makes statement.
- 11:30:52 AM Chairman Richter makes closing comments.
- 11:31:04 AM Meeting adjourned.