

Committee on Criminal Justice

CS/CS/SB 808 — Treatment by a Medical Specialist

by Appropriations Committee; Criminal Justice Committee; and Senators DiCeglie, Stewart, Osgood, Powell, Polsky, and Hooper

The bill amends s. 112.18, F.S., to authorize firefighters, law enforcement officers, correctional officers, and correctional probation officers to receive medical treatment for a compensable presumptive condition by his or her selected medical specialist. Under the bill, compensable presumptive conditions include tuberculosis, heart disease, or hypertension.

“Medical specialist” is defined as a physician licensed under ch. 458, F.S., or ch. 459, F.S., who has board certification in a medical specialty inclusive of care and treatment of tuberculosis, heart disease, or hypertension.

Written notice of the selection of a medical specialist must be given to a person’s workers’ compensation carrier, self-insured employer, or third-party administrator before he or she begins treatment, except in emergency situations. The bill creates an exception applicable to the usual provider selection process provided under the workers’ compensation law.

The bill requires the firefighter’s or officer’s workers’ compensation carrier, self-insured employer, or third-party administrator to authorize the selected medical specialist or authorize an alternative medical specialist with the same or greater qualifications and schedule an appointment within 5 business days after receipt of the written notice and schedule the appointment for treatment to be held within 30 days after receipt of the written notice. If after 5 days, an alternative medical specialist is not authorized, the selected medical specialist is authorized.

The continuing care and treatment must be reasonable, necessary, and related to tuberculosis, heart disease, or hypertension and be reimbursed at no more than 200 percent of the Medicare rate for a selected medical specialist.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2024.

Vote: Senate 38-0; House 112-0