

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

CS/HB 613 — Workers' Compensation System Administration

by Regulatory Affairs Committee and Rep. Sullivan (CS/SB 986 by Banking and Insurance Committee and Senator Simpson)

The bill (Chapter 2016-56, L.O.F.) amends regulatory provisions of ch. 440, F.S., the “Workers Compensation Law,” which are administered by the Department of Financial Services (DFS).

The bill eliminates the new insurer registration fee (\$100) and the Special Disability Trust Fund notice of claim fee (\$250) and the proof of claim fee (\$500). The bill also eliminates the Preferred Worker Program, which has been inactive for over 10 years.

The bill revises provisions related to compliance and enforcement as follows:

- o Creates a 25 percent penalty credit for employers who have not been issued a stop-work order or order of penalty assessment previously for non-compliance with coverage requirements if they maintain required business records and timely respond to the written DFS business records requests.
- o Establishes a deadline for employers to file certain documentation to receive a penalty reduction.
- o Reduces the imputed payroll multiplier related to penalty calculations from 2 times to 1.5 times the statewide average weekly wage.
- o Eliminates a 3-day response requirement applicable to employer held exemption documentation.
- o Allows employers to notify their insurers of their employee’s coverage exemption, rather than requiring that a copy of the exemption be provided.

The bill revises provisions related to health care services and disputes as follows:

- Removes insurers and employers from the medical reimbursement dispute provision.
- Allows a Judge of Compensation Claims the discretion to designate an expert medical advisor, rather than only those that are certified by the DFS.

These provisions were approved by the Governor and take effect October 1, 2016.

Vote: Senate 40-0; House 115-2