Florida Senate - 2006

By Senator Posey

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24-1276-06
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1	A bill to be entitled
2	An act relating to health care clinics;
3	amending s. 400.9905, F.S.; providing that an
4	entity that files an annual affidavit with the
5	Agency for Health Care Administration stating
6	that it does not provide personal injury
7	protection benefits is not defined as a clinic
8	for purposes of the Health Care Clinic Act;
9	amending s. 400.993, F.S.; providing that an
10	entity that provides services in conflict with
11	such an affidavit to the agency commits a
12	felony of the third degree; providing an
13	effective date.
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15	Be It Enacted by the Legislature of the State of Florida:
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17	Section 1. Paragraph (k) is added to subsection (4) of
18	section 400.9905, Florida Statutes, to read:
19	400.9905 Definitions
20	(4) "Clinic" means an entity at which health care
21	services are provided to individuals and which tenders charges
22	for reimbursement for such services, including a mobile clinic
23	and a portable equipment provider. For purposes of this part,
24	the term does not include and the licensure requirements of
25	this part do not apply to:
26	(k) Entities that file an annual affidavit with the
27	agency which states that they do not provide personal injury
28	protection benefits under ss. 627.730-627.7405.
29	Section 2. Present subsections (5), (6), (7), (8), and
30	(9) of section 400.993, Florida Statutes, are redesignated as
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CODING: Words stricken are deletions; words <u>underlined</u> are additions.

SB 2508

1	subsections (6) , (7) , (8) , (9) , and (10) , respectively, and a
2	new subsection (5) is added to that section, to read:
3	400.993 Unlicensed clinics; penalties; fines;
4	verification of licensure status
5	(5) An entity that knowingly provides services in
6	conflict with an annually filed affidavit to the agency which
7	states that the entity does not provide personal injury
8	protection benefits commits a felony of the third degree,
9	punishable as provided in s. 775.082, s. 775.083, or s.
10	775.084. Each day of continued operation is a separate
11	offense.
12	Section 3. This act shall take effect July 1, 2006.
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15	SENATE SUMMARY
16	Provides that an entity that files an annual affidavit with the Agency for Health Care Administration is not
17	defined as a clinic for purposes of the Health Care Clinic Act. Provides that an entity that provides
18	personal injury protection benefits in conflict with the affidavit to the agency commits a felony of the third
19	degree.
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