

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Stark offered the following:

3  
 4 **Amendment (with title amendment)**  
 5 Remove lines 115-119 and insert:  
 6 Section 3. Paragraph (f) of subsection (2), paragraphs (d)  
 7 and (i) of subsection (3), and subsection (12) of section  
 8 440.13, Florida Statutes, are amended to read:  
 9 440.13 Medical services and supplies; penalty for  
 10 violations; limitations.—  
 11 (2) MEDICAL TREATMENT; DUTY OF EMPLOYER TO FURNISH.—  
 12 (f) Upon the written request of the employee, the carrier  
 13 shall give the employee the opportunity for one change of  
 14 physician during the course of treatment for any one accident.  
 15 The carrier must provide a list of at least three proposed  
 16 second opinion physicians for the employee to select from, one

Amendment No. 4

17 of whom must be within 50 miles of the employee's residence,  
18 within 5 days after receipt of the request. No second opinion  
19 physician may be professionally affiliated with the originally  
20 authorized physician. If the employee does not select a second  
21 opinion physician from the provided list within 10 business  
22 days, the request expires, the one change of physician during  
23 the course of treatment provided under this paragraph has not  
24 occurred, and the employee retains the right to one change of  
25 physician provided under this paragraph. Upon the granting of a  
26 prospective change of physician to a second opinion physician,  
27 the originally authorized physician in the same specialty as the  
28 second opinion ~~changed~~ physician shall become deauthorized upon  
29 written notification by the employer or carrier, if, following  
30 examination of the employee by the second opinion physician and  
31 employee receipt of the second opinion physician's recommended  
32 treatment plan, the employee elects by written notice to the  
33 carrier within 5 days after receipt of the recommended treatment  
34 plan to accept treatment from the second opinion physician. If  
35 the employee elects not to accept treatment from the second  
36 opinion physician, the originally authorized physician shall  
37 remain authorized and the one change of physician during the  
38 course of treatment provided under this paragraph has occurred.  
39 ~~The carrier shall authorize a second opinion an alternative~~  
40 ~~physician who shall not be professionally affiliated with the~~  
41 ~~previous physician within 5 days after receipt of the request.~~

127333 - h7085-line 115.docx

Published On: 4/5/2017 9:19:49 PM

Amendment No. 4

42 If the carrier fails to provide a second opinion ~~change of~~  
43 physician as requested by the employee, the employee may select  
44 the second opinion physician and such physician shall be  
45 considered authorized if the treatment being provided is  
46 compensable and medically necessary.

47

48

-----

49

**T I T L E   A M E N D M E N T**

50

Remove line 7 and insert:

51

amending s. 440.13, F.S.; providing for a second opinion

52

physician prior on requesting a one-time change of physician

53

under certain conditions and in certain circumstances; requiring

54

carriers to take