

1                   A bill to be entitled  
2       An act relating to compensation for health care  
3       services for inmates in Polk County; providing  
4       definitions; limiting compensation to a health care  
5       provider that provides any medical services for an  
6       inmate housed in a Polk County detention center under  
7       certain conditions; limiting compensation to an entity  
8       that provides emergency medical transportation  
9       services for an inmate housed in a Polk County  
10      detention center if the entity does not have a  
11      contract with the county to provide such services;  
12      providing applicability; providing an effective date.

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14   Be It Enacted by the Legislature of the State of Florida:

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16       **Section 1.**   (1) As used in this act, the term:

17       (a) "Air ambulance" means a fixed-wing or rotary-wing  
18       aircraft used for, or intended to be used for, air  
19       transportation of sick or injured persons requiring or likely to  
20       require medical attention during transport.

21       (b) "Emergency medical services vehicle" means a privately  
22       or publicly owned vehicle or vessel that is designed,  
23       constructed, reconstructed, maintained, equipped, or operated  
24       for, and is used for, or intended to be used for, land or water  
25       transportation of sick or injured persons requiring or likely to

26 require medical attention during transport.

27 (c) "Emergency medical transportation services" includes,  
28 but is not limited to, services rendered by means of an  
29 emergency medical services vehicle or air ambulance.

30 (d) "Health care provider" means:

31 1. A hospital licensed under chapter 395, Florida  
32 Statutes.

33 2. A physician or physician assistant licensed under  
34 chapter 458, Florida Statutes.

35 3. An osteopathic physician or physician assistant  
36 licensed under chapter 459, Florida Statutes.

37 4. A podiatric physician licensed under chapter 461,  
38 Florida Statutes.

39 5. A health maintenance organization certificated under  
40 part I of chapter 641, Florida Statutes.

41 6. An ambulatory surgical center licensed under chapter  
42 395, Florida Statutes.

43 7. A facility the primary purpose of which is to provide  
44 human medical diagnostic services or a facility providing  
45 nonsurgical human medical treatment, to which facility the  
46 patient is admitted and from which facility the patient is  
47 discharged within the same working day, and which facility is  
48 not part of a hospital. However, the term does not include a  
49 facility existing for the primary purpose of performing  
50 terminations of pregnancy or an office maintained by a physician

51 or dentist for the practice of medicine.

52 8. A professional association, partnership, corporation,  
53 joint venture, or other association composed of the persons  
54 listed in subparagraphs 2., 3., and 4. for professional  
55 activity.

56 (2)(a) Except as specifically provided in this subsection,  
57 compensation to a health care provider to provide any medical  
58 services for an inmate housed in a Polk County detention center  
59 may not exceed 110 percent of the Medicare allowable rate if the  
60 health care provider does not have a contract with Polk County  
61 to provide inmate medical services.

62 (b) Compensation to a health care provider may not exceed  
63 125 percent of the Medicare allowable rate if:

64 1. The health care provider does not have a contract with  
65 Polk County to provide inmate medical services; and

66 2. The health care provider reported a negative operating  
67 margin for the previous year to the Agency for Health Care  
68 Administration through hospital-audited financial data.

69 (3) Compensation to an entity to provide emergency medical  
70 transportation services for an inmate housed in a Polk County  
71 detention center may not exceed 110 percent of the Medicare  
72 allowable rate if the entity does not have a contract with Polk  
73 County to provide inmate emergency medical transportation  
74 services.

75 (4) This act does not apply to charges for medical

76 services provided at a hospital operated by Polk County.

77       **Section 2.** This act shall take effect upon becoming a law.