

STAT LAW January 2009

Constitutional Challenge To Amendment 7

The Florida Hospital Association and numerous hospitals filed a constitutional challenge to Amendment 7 in the United States District Court for the Northern District of Florida. Amendment 7 gives patients and potential patients a constitutional right to documents concerning adverse incidents which the amendment defines as "medical negligence, intentional misconduct, and any other act, neglect, or default of a health care facility or health care provider that caused or could have caused injury to or death of a patient."

Mental Health Parity Bill Filed In Florida Legislature

State Representative Ed. Homan, R. Tampa, recently filed a mental health parity bill in the Florida House of Representatives. The bill would require insurance companies to cover mental health treatment at the same level those insurance companies cover other illnesses. Victor Crist, R. Tampa, filed the same bill in the Florida Senate.

Physician Sentenced To 30 Years

On December 18, 2008, a Miami physician was sentenced to 30 years in prison for defrauding Medicare. According to the United States Attorney, the physician ordered hundreds of medically unnecessary infusion treatments for Medicare HIV patients. The clinic was one of 12 clinics owned by the Benitez brothers who remain at large.

ICD 10 Codes

The Department of Health and Human Services announced on January 15, 2009, that CMS was delaying the implementation date for the switch to ICD-10 Coding until October 1, 2013. The AMA and numerous other organizations had urged CMS to extend the original 2011 implementation deadline. The ICD-10 has 155,000 diagnosis codes compared to ICD-9's 17,000 codes.

Hospitals Reduce Staff

According to the U.S. Bureau of Labor Statistics, health care mass layoffs reached their highest level in 10 years. The U.S. Bureau of Labor Statistics defines mass layoffs as a reduction in staff of at least 50 people. Florida's hospitals ranked third in the number of layoffs behind California and Indiana.

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