

STAT LAW September 2009

DIRECT PAYMENT FROM INSURANCE COMPANIES

Governor Crist recently signed into law a bill that requires insurance companies to pay the provider of health care services directly if the patient has assigned their right to payment to the provider. The law is intended to ensure doctors and other providers that provide services to patients enrolled in HMOs and PPOs actually get compensated for their services. The law also prohibits an insurance company from including any provision in the policy prohibiting the patient from authorizing payment directly to the doctor or other provider.

PAIN MANAGEMENT CLINICS

Under a new Florida law, pain management clinics will be required to register with the Florida Department of Health by January 4, 2010. The same law requires the Department of Health to develop an electronic database to monitor the prescribing of controlled substances. The Florida Board of Medicine and the Florida Board of Osteopathic Medicine are conducting joint rule workshops to develop rules setting the standards for pain clinics.

RED FLAG RULES DELAYED UNTIL NOVEMBER 1, 2009

On July 29, 2009, the FTC announced another delay in the deadline to comply with the Red Flag Rules. The delay is intended to assist small businesses that are at low risk for identity theft. The FTC will also issue additional guidance for those small businesses intended to assist those small businesses with their obligations.

SUSPENSION OF MEDICAL LICENSE FOR FAILING TO PAY CHILD SUPPORT

The Board of Medicine wants all doctors to know that failing to pay your child support can result in the suspension of your medical license. Section 409.2598, Florida Statutes allows the State to suspend any license for failure to pay child support. The statute defines a license as "a license, permit, certificate, registration, franchise, or other form of written permission issued by a licensing agency to an individual which authorizes the individual to engage in an occupation, business, trade, or profession or to engage in a recreational activity, including hunting or fishing."

FINALLY, A REASON TO READ THE LEGAL NOTICES

Effective July 1, 2009, an applicant for a fictitious name in Florida must first advertize their intention to register the fictitious name at least once in a newspaper in the county in which the principal place of business will be located.