

ASSOCIATED INDUSTRIES OF FLORIDA

LEGISLATIVE DAILY BRIEF



P.O. Box 784 • Tallahassee, FL 32302 • Phone: (850) 224-7173 • Fax: (850) 224-6532 • Internet: <http://aif.com> • fbnnet.com

FROM JUNE 24, 2003

Today the Senate Select Committee on Medical Malpractice Reform met for eight hours to examine the differences among the Senate, House, and governor's proposals to address the medical-liability-insurance crisis.

Perhaps the most important revelation from the meeting was what didn't happen; namely, no one from the House of Representatives — staff or members — was in attendance. Senate President Jim King (R-Jacksonville) formed the select committee last week after the Legislature failed to agree on a reform package. In the press release announcing its creation, the committee was described as “an effort to keep the lines of communication open and to seek an agreeable solution to the medical malpractice debate before the Legislature.” Senator King specifically declined the opportunity, however, to appoint a conference committee of senators and representatives in order to negotiate a consensus.

The most important revelation of the day, however, occurred outside of the meeting room. As the meeting was taking place Senator King held a press conference in which he announced that the governor was planning to call the Legislature back on July 9 to take another stab at enacting a reform package. Flanked by Senators Dennis Jones (R-Seminole), Ron Klein (D-Delray Beach), Tom Lee (R-Brandon), and Rod Smith (D-Gainesville), the Senate president announced that the select committee meeting would run its course on Tuesday evening and then the members would be free until the opening of Special Session C.

Senator King says that the two chambers are close to resolving their differences and predicts that agreement on about half of the 90 outstanding issues will be reached by the end of the week. The tenor of discussion at the workshop, however, gave no one the impression that the Senate is itself of one mind on most provisions.

The Senate president expressed his personal opinion that lawmakers should set the issue of caps aside and reach agreement on the remaining issues — what Senator King called a “temporary option.” According to Senator King's plan, the Senate select committee will meet again when the Legislature convenes in Special Session C. Certain parties who possess information sought by the committee will be issued subpoenas, which will require them to testify under oath. This extraordinary measure is being taken to combat what senators believe are attempts by the different interest groups to mislead them about the causes and severity of the problem. Apparently senators consider insurance carriers as those most guilty of deception because Senator King also plans to hire a forensic accountant who will review insurance company records subpoenaed by the Senate.

The Senate leadership wants Floridians to believe that it is open to negotiation and that the governor and House are taking inflexible positions. In fact, the governor and House are demonstrating uncompromising adherence to the provisions that will rein in the growth in malpractice insurance premiums, thereby protecting our access to high-quality, affordable health care.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our “members only” Florida Business Network web site at <http://fbnnet.com>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.