

Tampa company looks at end run around new PIP law

By: Brent Kallestad, Bloomberg Businessweek

A Tampa company has sent fliers to chiropractors suggesting ways to capitalize on potential loopholes in new legislation aimed at denting the runaway fraud plaguing Florida's mandatory motor vehicle no-fault law.

The legislation (HB 119) -- which hasn't yet reached the governor's desk -- still requires all Florida drivers to carry \$10,000 in coverage for accident injuries, although it also created a lower ceiling of \$2,500 in coverage for non-emergency treatment to cut down on abuses. Florida leads the nation in the number of staged accidents.

The Tampa health care staffing agency is offering to send medical doctors or osteopathic physicians to chiropractor's offices to examine patients and fill out paperwork that could possibly qualify them as an "emergency" and eligible for the maximum \$10,000 personal injury protection benefit.

"Chiropractors. Don't miss out on your \$7,500," the Medical on Demand Staffing solicitation promises. "We Have The Medical Doctors You Need."

Darrell Stollings, chief executive officer of the medical staffing and placement firm, said Wednesday that he's not trying to skirt conditions of the new legislation although he agreed that his flier was an eye-catcher.

"We have physicians who are available to look at the patient to make sure that patient is medically needing of that (chiropractic) service," Stollings explained. "If not, they don't get that service."

Other saw it differently.

"The governor hasn't even signed the bill yet and some firm is sending this thing around?" asked Rep. Jim Boyd, a Bradenton Republican who sponsored the legislation. "It's very brazen and I think action will be taken if someone is trying to do something that is not acceptable."

Boyd said he had already spoken to officials from the Department of Health and Division of Insurance Fraud about checking into the validity of the Tampa company's overture to chiropractors.

Insurance Commissioner Kevin McCarty said the new legislation gives authorities more tools to head off scams.

"It is disheartening to learn that unscrupulous actors are already developing methods to circumvent this good law before it has even been presented to the governor," McCarty said.

Florida lawmakers passed PIP coverage in 1972 to make sure anyone hurt in an automobile wreck

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could seek timely medical treatment. The legislation required a driver's insurance company pay up to \$10,000 to cover medical bills and lost wages after an accident -- no matter who's at fault. Florida remains one of a handful of states that still offers it.

The legislation awaiting Scott's signature requires an accident victim to obtain treatment within 14 days in an ambulance or hospital, or from a physician, osteopathic physician, chiropractic physician, dentist, a supervised physician's assistant or advanced registered nurse practitioner determines that the insured has an emergency medical condition. Otherwise the treatment limit is set at \$2,500.

Lawmakers believed that restricting non-emergency accident injuries to \$2,500 in PIP coverage would head off phony claims and eventually shut down fraudulent pain clinics resulting in lower prices for consumers.

"Medical providers aren't going to roll over and let themselves be driven out of business," said James Quiggle, communications director for the Washington-based **Coalition Against Insurance Fraud**. "They're still looking to turn the law into a profit center."

Insurance experts estimate that the skyrocketing PIP fraud across the state -- especially in the Tampa and Miami areas -- has bumped the costs for the mandatory coverage by \$1.4