

## Florida Court Questions No-fault Reform Legislation

*Rule intending to keep auto premiums in check is being sent to a higher court where its constitutionality will be in question.*

By: Justin Stephani

A Tallahassee court has temporarily blocked part of last year's Florida auto insurance overhaul intended to keep personal injury protection (PIP) rates down by limiting treatment costs.

The part of the legislation that prompted the halt placed a cap on non-emergency care and a 14-day deadline for treatment from massage therapists, acupuncturists or chiropractors, as well as the requirement that an emergency medical condition exist for the full \$10,000 PIP coverage.

The legislation now moves to a higher court where its constitutionality will be decided upon, and while the original legislation passed with strong support from Florida Gov. Rick Scott, some are speculating that this ruling could lead to an elimination of no-fault insurance in the state.

Meanwhile, the **Coalition Against Insurance Fraud (CAIF)** was quick to release a response this morning expressing the group's "disappointment over the ruling," which they claim "limits the ability of chiropractors, massage therapists and acupuncturists to bill auto insurers for treating crash victims."

The rule was initially included in the legislation by Florida lawmakers to curb fraud and abuse by medical providers who are driving up auto premiums, according to CAIF.

The ruling was immediately appealed by the Florida Office of Insurance Regulation, as the Governor released a statement, saying, "Our personal injury protection legislation was designed to stop the high costs passed on to Florida families by car insurance companies because of excessive lawsuits, waste and fraud."

The law took effect January 1, as part of last year's auto insurance overhaul, and caps chiropractic and physical therapy treatments at \$2,500.

"No evidence has shown that legitimate crash victims are receiving substandard treatment since the law took effect," said Dennis Jay, executive director, CAIF. "Fraud also is falling and consumers should see some savings in future years, a recent informal survey of auto insurers in Florida suggests. Any savings, however, will depend on courts upholding the reforms."

***"No evidence has shown that legitimate crash victims are receiving substandard treatment since the law took effect," said Dennis Jay, executive director, CAIF.***



**Coalition Against  
Insurance Fraud**