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GOVERNOR

Better Health Care for all Floridians

THOMAS W. ARNOLD
SECRETARY

June 21, 2010

Dr. Terence D. McDonald, President
Florida Podiatric Medical Association
410 North Gadsden Street
Tallahassee, Florida 32301

Dear Dr. McDonald:

We are writing in follow up to a recommendation of a Technical Advisory Panel created to assist the Agency for Health Care Administration (Agency) in rule development, and issues raised by clinical laboratory providers.

One of the areas discussed in the Panel meetings dealt with rebates received by doctors who have added to the price charged by a laboratory for laboratory tests that are in excess of a service or handling charge representing a cost actually incurred as an item of expense or the fair compensation for all professional services rendered. It has been brought to the Agency's attention in these meetings that some physician practices, particularly newer practices, may be adding to the price charged by a laboratory for a test that is unrelated to a service or handling charge or that represents fair compensation for professional services rendered. We are sending this letter in an effort to reduce potential violations of Agency regulations related to physician offices charging for clinical laboratory tests.

Current Agency regulations contained in subsection 59A-7.037(2), Florida Administrative Code, prohibit charges unrelated to a service or handling charge that represents fair compensation for professional services rendered. Licensed practitioners are also required by this regulation to clearly identify any added service or handling charge in the patient's bill.

We would appreciate any assistance you can give us in reminding your members of the requirements of this subsection of clinical laboratory regulation. Any questions you or your members have may be directed to the Agency's Laboratory Licensure Unit at LABSTAFF@ahca.myflorida.com or 850-412-4500.

Sincerely,

Elizabeth Dudek, Deputy Secretary
Division of Health Quality Assurance

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