

ASSOCIATED INDUSTRIES OF FLORIDA  
**LEGISLATIVE  
DAILY BRIEF**



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### MEDICAL MALPRACTICE

Monday was a slow day with little action, as lawmakers traveled back to the Capitol City. A few committee meetings were held in the afternoon, but the big news came with the much-anticipated release of the House Health Care Committee's medical-malpractice bill. The legislation generally follows the recommendations of the governor's task force and includes strong language implementing a \$250,000 cap on non-economic damages.

It seems that the committee is going to take testimony, consider amendments and vote out a bill at its meeting on Wednesday afternoon.

*To view the House Select Committee on Medical Malpractice Draft Report go to  
[http://www.leg.state.fl.us/data/Committees/House/535mls/draft\\_report/draft\\_report\\_030303.pdf](http://www.leg.state.fl.us/data/Committees/House/535mls/draft_report/draft_report_030303.pdf).*

*To View the Governor's Select Task Force on Healthcare Professional Liability Insurance Report go to  
<http://www.doh.state.fl.us/>*

**Health care providers in Florida are facing a medical liability crisis. Vulnerability to large jury awards is why insurers have left the state. Many doctors, especially in the high-risk specialties, are leaving too. AIF supports a \$250,000 cap on non-economic damages as necessary for meaningful and lasting relief.**

### DRY CLEANING AND ENVIRONMENTAL CLEANUP

Today the Senate Natural Resources Committee discussed the Dry cleaning Solvent Cleanup Program (DSCP). Currently, the DSCP provides an exemption from liability for cleanup costs to eligible dry cleaning and wholesale supply facilities, provided that the facilities meet the requirements of the law and regulations. SB 956 by Senator Dennis Jones (R-Seminole) would expand the civil-liability immunity provisions within the DSCP to grant civil immunity to owners of real property for property-damage claims of any kind that are brought by a person in connection with contamination of a dry cleaning or wholesale supply facility if certain minimal conditions are met.

The provision of immunity is based on the site being deemed eligible for cleanup under the DSCP. The bill also extends the statutory immunity to real-property owners who voluntarily engage in site cleanup, regardless of site eligibility under the DSCP. Senator Al Lawson (D-Tallahassee), chair of the Committee on Natural Resources, offered a strike-everything amendment to substantially limit the bill so that no person who may be liable for dry cleaning solvent contamination, including any real-property owner, shall be liable for property damage claims of any kind and from any person unless that person sells, transfers, or changes the land use of the contaminated property and demonstrates that actual economic damage has occurred as a result of the contamination.

**AIF supports legislation, such as SB 956, that provides incentives for voluntary cleanup of polluted sites by property owners by offering them protection against wasteful litigation .**

## TAXATION

The House Subcommittee on Workforce and Economic Development began its meeting with the discussion of HB 239 regarding community-contribution tax credits. Currently, businesses can take a tax credit of up to \$10 million statewide for contributing to eligible charities. This bill doubles the tax credit to \$20 million statewide. The bill passed on a four to zero vote.

**AIF believes that this legislation serves the better interest of the state because it rewards businesses that make financial contributions to local charities, which often surpass the achievements of state programs for less money.**

Please send your comments or suggestions to us at [aif@aif.com](mailto: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.