

Department of Professional Regulation
AGENCY CLERK

DEPARTMENT OF PROFESSIONAL REGULATION
BEFORE THE BOARD OF MEDICINE

IN RE: The Petition for
Declaratory Statement of:
ALAN ALTMAN, M.D.

CLERK *[Signature]*
DATE 7-25-89

FINAL ORDER

THIS CAUSE came before the Board of Medicine (hereinafter, "Board"), pursuant to Section 120.565, Florida Statutes, and Chapter 28-4, Florida Administrative Code, on February 5, 1989, and April 9, 1989, for the purpose of considering the Petition for Declaratory Statement filed by Alan Altman (hereinafter "Petitioner"). No person or entity sought to intervene as a party.

Having considered the Petition, the applicable law, and being otherwise fully advised in the premises, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. Petitioner is licensed to practice medicine in the State of Florida pursuant to Chapter 458, and currently maintains an office at 5959 North West 7th Street, Miami, Florida 33126.
2. Petitioner is employed by a corporation which directly compensates him for his services. The corporation then bills patients or their insurance companies for services rendered by him and receives payments from the patient or insurance company directly. Petitioner asserts that many of the patients he treats have health insurance coverage. While the health insurance policy may vary greatly in a number of ways, he asserts they frequently have two features in common. First, many of these policies set their levels of reimbursement based upon the physician's "usual" or "customary" fee. Secondly, many of the policies pay only a fixed percentage of the "usual" or "customary" fee, such as 80%. The percent not paid by the insurance company is referred to as the "co-payment" amount, which amount is the responsibility of the insured to pay.

