



Case Law Update

Weeks of June 10, 2019

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This Update contains summaries of all relevant Appellate decisions for the preceding week, with comments on how a particular decision affects you. In addition, we review daily the Merit Orders posted on the DOAH website. This Update contains summaries and links to relevant JCC decisions for the past week. Please feel free to contact Rogers Turner (rturner@hrmcw.com) with questions or comments on any of the listed cases.

DCA Cases

Lafluer v. The Arbor Holding Co./Barrington Terrace/Utd. Wisconsin Ins. Co.,
(Fla. 1st DCA 6/12/2019)

One Time Change/Requirement of Same Specialty

The DCA reversed the JCC, who at the time of the ruling did not have the benefit of the court's recent decision in Myers v. Pasco County School Board. Here, the JCC found the E/C's timely authorization of an anesthesiologist from a physical medicine/rehab doctor was satisfactory. However, Myers held that a physician who provides similar services in a different specialty does not qualify under F.S. s. 440.13(2)(f) as a doctor in the "same specialty". [Click here to view Opinion](#)

Please note that the DCA Opinions and Merit Orders contained in this newsletter are non-final until 30 days after their rendition. Until that time, they are subject to amendment, vacation, or other action which may remove or alter some or all of the decision. Please contact any HRMCWW attorney if you have a question as to the finality and applicability of an Opinion or Order. We endeavor to include any amendments or alterations to Opinions or Orders that may occur at a later date.

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