

Three Strikes Law in Florida

Presented by: The Florida Professional Liability Self-Insurance Programs

Disclosure Statement: The Florida Professional Liability Self-Insurance Program has disclosed that they have no relevant financial relationships. No one else in a position to control content has any financial relationships to disclose.

Requirements for Successful Completion: This CME activity consists of an educational component (slides, audio/online lecture) which is followed by an online post-test. Certificates are awarded upon successful completion (80% proficiency) of the post-test. In order to receive credit, participants must view the presentation in its entirety.

Release Date: 01/01/2024

Expiration Date: 12/31/2025

Target Audience: Physicians, Specialty Physicians, Residents and Physician Assistants.

Learning Objectives: As a result of the participation in this activity, participants should be able to:

1. Cite the Constitutional and statutory provisions of the Florida Three Strikes Law.
2. Explain the three key concepts of the Florida Three Strikes Law.
3. Recognize the types of results from medical malpractice trials, arbitration, and agency actions that may result in a strike.
4. Define the term “physician” as used in the Three Strikes Law. Define and discuss the terms, “medical malpractice” and “standard of care”.
5. Identify and contrast a single incident of medical malpractice that may lead to a single strike and multiple incidents of medical malpractice that may lead to more than one strike.
6. Discuss the “clear and convincing evidence” standard necessary for an agency board to determine if the physician will receive a strike.
7. Relate the practical implications of the Three Strike Law based upon its history.

CME Advisory Committee Disclosure: Conflict of interest information for the CME Advisory Committee members can be found on the following website: <https://cme.ufl.edu/disclosure/>. All relevant financial relationships have been mitigated.

Accreditation: The University of Florida College of Medicine is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Credit: The University of Florida College of Medicine designates this enduring material for a maximum of 0.5 *AMA PRA Category 1 Credit™*. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Contact: If you have any questions please feel free to contact SIPHELP at (352) 273-7006 or at SIPHELP@ad.ufl.edu.

Bibliographic Sources:

1. Risk Rx, Volume 7, No. 4, December 2010; University of Florida Health Science Center Self Insurance Program. <https://flbog.sip.ufl.edu/wp-content/uploads/2015/02/V6N4-O2D09.pdf>
2. Chapter 766 of the Florida Statutes: Florida Medical Malpractice Act.
3. Florida Statutes 456.50(2) and 766.102.
4. Florida Statute Chapters 458 (MDs) and 459 (DOs).
5. The Florida Board of Medicine <https://flboardofmedicine.gov/>
6. The Florida Board of Osteopathic Medicine <https://floridasosteopathicmedicine.gov/>