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INFORMATIONAL BULLETIN

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ALL EMPLOYER/CARRIERS RESPONSIBLE FOR MEDICAL CARE TO INJURED WORKERS PURSUANT TO CHAPTER 440, FLORIDA STATUTES

Medical Mileage Reimbursement

Pursuant to Bulletin #163A issued by the Florida Department of Labor and Employment Security, Division of Workers' Compensation on September 1, 1994, medical mileage reimbursement for workers' compensation claimants was tied to the state travel provisions of section 112.061(7)(d), Florida Statutes.

In 1964, the Florida Supreme Court held in *Mobley v. Jack & Son Plumbing*, 170 So.2d 41 (Fla. 1964) that section 440.13, Florida Statutes, which requires the employer to furnish the claimant with "remedial treatment, care, and attendance" for as long as the injury requires, included costs of transportation for medical treatment. In 1977, through Chapter 77-290, Laws of Florida, the legislature added a provision to section 440.13, Florida Statutes, expressly authorizing medical mileage. In 1993 the legislature through Chapter 93-415, Laws of Florida, deleted that provision. In 1996, the Florida First District Court of Appeal in *Sam's Club v. Bair*, 678 So.2d 902 (Fla. 1st DCA 1996) concluded that the omission did not abrogate the judicial construction in *Mobley* and its progeny that section 440.13(2)(a), Florida Statutes, implicitly authorizes such costs.

Effective July 1, 2006, section 112.061(7)(d), Florida Statutes, was amended to increase the reimbursement rate for state travel to forty-four and one-half cents per mile.

For employer/carriers that utilize the statutory reimbursement provisions of section 112.061(7)(d), Florida Statutes, as a basis for the amount of medical mileage reimbursement, you are hereby notified of the amended statutory reimbursement amount of forty-four and one-half cents per mile.

If you have questions or need additional information, please contact Fred Becknell with the Division of Workers' Compensation's Bureau of Monitoring & Audit at (850) 413-1763.