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## Florida no-fault law is worth saving

**OUR OPINION: GIVE LAW ENFORCEMENT TOOLS TO FIGHT INSURANCE SCAMS**

State lawmakers must feel like they're playing a carnival's "Whack a Mole" game each time they "reform" Florida's no-fault insurance law. Twice since 2001 lawmakers have enacted laws designed to rein in the rampant fraud and abuse of people who set up fake accidents and file bogus claims for PIP reimbursement of medical bills.

### Excessive claims

Faced with an October 2007 deadline before the no-fault law expires, lawmakers this year are asking whether the law should be overhauled again or scrapped altogether. We think the law is worth saving. This time, however, lawmakers should use a bigger mallet and make sure of their aim.

The previous reforms adopted in 2001 and 2003 had the right idea — punish those who "game" the system with penalties, prosecution and jail time. Those reforms have produced a marked increase in arrests, prosecutions and convictions, but they still have not put an end to a burgeoning cottage industry of claims' runners, medical clinics, doctors and lawyers who take advantage of the law. That's because the number of bogus operators has increased faster than law enforcement assigned to stop them.

Florida passed the no-fault law in 1971 to end a system of blame and excessive claims that sent auto-insurance premiums skyward and put the state's car-insurance market at risk. PIP was supposed to end all that, and

to a large extent it did. PIP requires all Florida drivers to buy a minimum of \$10,000 in coverage. The law guarantees medical, disability and death benefits in exchange for accident victims giving up the right to sue for exorbitant pain-and-suffering payments.

Despite no-fault, dishonest people soon found a way to exploit the law. Fraudulent claims are estimated to cost Florida insurers more than \$1 billion a year — and 40 percent of those claims are made in Miami-Dade County. The earlier reforms set minimum two-year sentences for anyone convicted in the scams, but most of those arrested thus far have been low-level runners.

### More prosecutors

Rather than let the PIP law die, lawmakers should give prosecutors better tools to work with. The Legislature should adopt even tougher laws. More important, lawmakers should allocate funding for more prosecutors. Miami-Dade currently has two prosecutors dedicated to PIP scams and Broward County is looking to hire its first. Meanwhile, the number of dishonest doctors, lawyers and medical clinics is increasing rapidly.

The payoff for tougher laws and more prosecutors will be improved odds that those involved in the scams will be caught, prosecuted, convicted and sent to jail. Lawmakers shouldn't abandon the chase; they should give law enforcement better tools to whack the PIP moles.