

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

USAA GENERAL INDEMNITY CO.,

Petitioner,

v.

Case No. 5D15-956

EMERGENCY PHYSICIANS  
CENTRAL, ETC., ET AL.,

Respondents.

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Opinion filed February 19, 2016

Petition for Certiorari Review of  
Decision from the Circuit Court for  
Seminole County, Acting in its Appellate  
Capacity,  
Jessica J. Recksiedler, Judge.

Douglas H. Stein, of Seipp, Flick &  
Hosley, LLP, Coral Gables, for  
Petitioner.

Dean A. Mitchell, of Dean A. Mitchell  
Law, Ocala, for Respondents.

PER CURIAM.

We grant certiorari, quash the circuit court's February 17, 2015 opinion on rehearing and remand to the circuit court for further proceedings. See *Mercury Ins. Co. of Fla. v. Emergency Physicians of Cent. Fla.*, 40 Fla. L. Weekly D2364, D2366-67 (Fla. 5th DCA Oct. 16, 2015) ("The plain language of [the relevant statutes is] . . . not in conflict

and provides that, where an emergency service provider submits its claims within the 30-day reserve period provided in section 627.736(4)(c), those claims will be prioritized for payment; however, any such payment will be subject to any deductibles that exist in the insurance contract between the insured and the insurer. Under these circumstances it was a departure from the essential requirements of the law for the circuit court to affirm the county court's order.”).

PETITION GRANTED; OPINION QUASHED; CAUSE REMANDED.

LAWSON, C.J., ORFINGER and WALLIS, JJ., concur.