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LEGISLATIVE ACTION

Senate

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House

Senator Rodriguez moved the following:

Senate Amendment (with title amendment)

Delete lines 54 - 134
and insert:

(2) (a) Beginning on the operative date, and notwithstanding
s. 627.6045 or any other law to the contrary, every insurer
issuing, delivering, or issuing for delivery individual health
insurance policies in this state may not exclude, limit, deny,
or delay coverage under such policies due to one or more
preexisting medical conditions.

(b) An insurer may not limit or exclude benefits under such



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policies, including a denial of coverage applicable to an individual as a result of information relating to an individual's health status before the individual's effective date of coverage, or if coverage is denied, the date of the denial.

(3) This section does not apply to an insurer that issues only limited benefit, disability income, specified disease, Medicare supplement, or hospital indemnity policies in this state.

Section 2. Section 627.65612, Florida Statutes, is created to read:

627.65612 Limit on preexisting conditions.-

(1) As used in this section, the terms "operative date" and "preexisting medical condition" have the same meanings as provided in s. 627.6046.

(2)(a) Beginning on the operative date, and notwithstanding s. 627.6561 or any other law to the contrary, every insurer issuing, delivering, or issuing for delivery group health insurance policies in this state may not exclude, limit, deny, or delay coverage under such policies due to one or more preexisting medical conditions.

(b) An insurer may not limit or exclude benefits under such policies, including a denial of coverage applicable to an individual as a result of information relating to an individual's health status before the individual's effective date of coverage, or if coverage is denied, the date of the denial.

(3) This section does not apply to an insurer issuing only limited benefit, disability income, specified disease, Medicare



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supplement, or hospital indemnity policies in this state.

Section 3. Subsection (45) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(45) (a) As used in this subsection, the terms "operative date" and "preexisting medical condition" have the same meanings as provided in s. 627.6046.

(b) Beginning on the operative date, and notwithstanding s. 641.31071 or any other law to the contrary, every health maintenance organization issuing, delivering, or issuing for delivery individual or group contracts in this state may not exclude, limit, deny, or delay coverage under such contracts due to one or more preexisting medical conditions. A health maintenance organization may not limit or exclude benefits under such contracts, including a denial of coverage applicable to an individual as a result of information relating to an individual's health status before the individual's effective date of coverage, or if coverage is denied, the date of the denial.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 6 - 30

and insert:

policies, respectively; prohibiting insurers, upon the occurrence of either of two specified events, from excluding, limiting, denying, or delaying coverage under such policies due to preexisting medical conditions; providing applicability; amending s.



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641.31, F.S.; defining the terms "operative date" and
"preexisting medical condition" with respect to health
maintenance contracts; prohibiting health maintenance
organizations, upon the occurrence of either of two
specified events, from excluding, limiting, denying,
or delaying coverage under such contracts due to
preexisting medical conditions; providing an effective
date.