

By Representative Silver

1 A bill to be entitled
 2 An act relating to health maintenance
 3 organizations; amending s. 641.315, F.S.;
 4 prohibiting certain provisions in contracts
 5 with health care providers; providing a
 6 penalty; providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (8) is added to section 641.315,
11 Florida Statutes, to read:

12 641.315 Provider contracts.--

13 (8)(a) A contract between a health maintenance
 14 organization and a provider may not contain any provision that
 15 restricts the provider's ability to communicate information to
 16 the provider's patient regarding medical care or treatment
 17 options that the provider believes is in the patient's best
 18 interest to know nor may an organization attempt to restrict
 19 by any means, including adverse action, a provider's ability
 20 to communicate such information.

21 (b) A health maintenance organization that violates
 22 this subsection is subject to a civil penalty not to exceed
 23 \$25,000 for each violation.

24 Section 2. This act shall take effect July 1, 1997.

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27 SENATE SUMMARY

28 Prohibits contracts between health maintenance
 29 organizations and health care providers that restrict the
 30 providers' ability to communicate certain treatment
 31 options to their patients. Prohibits attempts by any
 means to prohibit such communication. Provides a civil
 penalty of \$25,000 for each violation.