

By Representative Mackenzie

1                                   A bill to be entitled  
2           An act relating to community health purchasing  
3           alliances; amending s. 408.702, F.S.; providing  
4           immunity from liability for members of the  
5           board of directors of a community health  
6           purchasing alliance, and its employees and  
7           agents, in the performance of the board's  
8           duties; correcting a cross reference; amending  
9           s. 408.703, F.S.; providing that a small  
10          employer member of an alliance remains eligible  
11          for coverage for a specified period following  
12          an expansion of business; creating s. 408.7059,  
13          F.S.; establishing a pilot project in Broward  
14          County to provide health care services to  
15          certain uninsured persons; providing certain  
16          authority to community health purchasing  
17          alliances; providing for licensure of provider  
18          networks contracting to provide services under  
19          the pilot project; providing rulemaking  
20          authority to the Agency for Health Care  
21          Administration and the Department of Insurance;  
22          repealing s. 408.705, F.S., relating to the  
23          boards of directors of community health  
24          purchasing alliances; providing an effective  
25          date.

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

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29           Section 1. Subsection (1) and paragraph (j) of  
30           subsection (6) of section 408.702, Florida Statutes, are  
31           amended to read:

1           408.702 Community health purchasing alliance;  
2 establishment.--

3           (1) There is ~~hereby~~ created a community health  
4 purchasing alliance in each of the 11 health service planning  
5 districts established under s. 408.032(5). Each alliance must  
6 be operated as a state-chartered, nonprofit private  
7 organization organized pursuant to chapter 617. There shall be  
8 no liability on the part of, and no cause of action of any  
9 nature shall arise against, any member of the board of  
10 directors of a community health purchasing alliance, or its  
11 employees or agents, for any action taken by the board in the  
12 performance of its powers and duties under ss. 408.70-408.706.

13           (6) Each community health purchasing alliance has the  
14 following powers, duties, and responsibilities:

15           (j) Ensuring that accountable health partnerships have  
16 grievance procedures to be used in resolving disputes between  
17 members and an accountable health partnership. A member may  
18 appeal to the alliance any grievance that is not resolved by  
19 the accountable health partnership. An accountable health  
20 partnership that is a health maintenance organization must  
21 follow the grievance procedures established in ss. 408.7056  
22 and 641.31(5) and ~~641.311.~~

23           Section 2. Subsection (6) is added to section 408.703,  
24 Florida Statutes, to read:

25           408.703 Small employer members of community health  
26 purchasing alliances; eligibility requirements.--

27           (6) Notwithstanding any other law, if a small employer  
28 member loses eligibility to purchase health care through a  
29 community health purchasing alliance solely because the  
30 business of the small employer member expands to more than 50  
31 eligible employees, the small employer member may, at its next

1 renewal date, purchase coverage through the alliance for an  
2 additional year.

3 Section 3. Section 408.7059, Florida Statutes, is  
4 created to read:

5 408.7059 Pilot project for health care services.--

6 (1) The Legislature finds there is insufficient group  
7 health insurance coverage available to low-income employees  
8 and self-employed persons, and their dependents, that such  
9 uninsured individuals represent a significant portion of the  
10 uncompensated costs of health care providers, and that  
11 uninsured individuals have impaired access to health care  
12 services and correspondingly low health status. It is,  
13 therefore, the intent of the Legislature to create a pilot  
14 project in Broward County that will serve to ensure access to  
15 health care services to low-income employees and self-employed  
16 persons, who are uninsured, and their dependents.

17 (2) For purposes of this section, "community health  
18 purchasing alliance" and "provider network" are limited to  
19 those entities in Broward County.

20 (3) A community health purchasing alliance may, in  
21 addition to its other powers and duties:

22 (a) Directly contract with provider networks to  
23 provide clinic-based health care services that include both  
24 preventive and comprehensive care to low-income employees and  
25 self-employed persons, who are uninsured, and their  
26 dependents.

27 (b) Directly market such provider network services to  
28 low-income employees and self-employed persons, who are  
29 uninsured, and their dependents, and enroll such individuals  
30 as members.

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1           (4)(a) The agency shall establish by rule the  
2 eligibility requirements for low-income employees and  
3 self-employed persons, and their dependents, and establish  
4 grievance procedures for members.

5           (b) The agency shall license provider networks  
6 contracting to provide services under this section that meet  
7 quality of care standards as set forth by rule of the agency.  
8 The agency shall adopt standards for quality of care for  
9 preventive and comprehensive health care services consistent  
10 with prevailing standards for medical practice in the  
11 community.

12           (c) The agency shall consult with the department in  
13 the development of rules to be adopted by the agency that  
14 establish administrative and accounting standards necessary  
15 for an efficient contractual relationship between the  
16 community health purchasing alliance and provider networks.

17           (5) The department shall consult with the agency in  
18 the development of rules to be adopted by the department that  
19 provide state licensure, financial reserve requirements, and  
20 solvency standards for the provider networks. The standards  
21 shall ensure the solvency of provider networks so as to  
22 protect the community health purchasing alliance members from  
23 loss due to the insolvency or financial instability of a  
24 provider network.

25           Section 4. Section 408.705, Florida Statutes, is  
26 repealed.

27           Section 5. This act shall take effect upon becoming a  
28 law.

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HOUSE SUMMARY

Provides that the board of directors of a community health purchasing alliance, and its employees or agents, are not liable for actions taken in performing the duties and functions of the board. Provides that a small employer member of an alliance may continue to purchase health care through the alliance for 1 year if the business expands to more than 50 eligible employees. Provides for establishment of a pilot project in Broward County to provide health care services to low-income employees and self-employed persons, who are uninsured, and their dependents, through community health purchasing alliances and provider networks in the county. Authorizes alliances to contract with networks, market network services, and enroll members, under the pilot project. Directs the Agency for Health Care Administration to adopt certain quality of care standards and to license networks providing services under the pilot project. Provides rulemaking authority of the agency and the Department of Insurance with respect to operation of the pilot project. Repeals s. 408.705, F.S., which specifies the composition of a board of directors of a community health purchasing alliance and provides certain other requirements for the board.