

By the Committee on Health Care Standards & Regulatory Reform and Representatives Effman, Lippman and Brooks

1 A bill to be entitled
2 An act relating to health maintenance
3 organizations; creating s. 641.3155, F.S.;
4 prescribing time for paying claims for services
5 or goods by a provider; providing procedures
6 for denying or contesting a claim; providing
7 time limitations; providing notice; providing
8 method for making payments, denying or
9 contesting a claim, providing notice; providing
10 interest on overdue payment of claim; requiring
11 a health maintenance organization to pay or
12 deny a claim within a time certain; providing
13 an effective date.

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

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17 Section 1. Section 641.3155, Florida Statutes, is
18 created to read:

19 641.3155 Provider contracts; payment of claims.--
20 (1)(a) A health maintenance organization shall pay any
21 claim or any portion of a claim made by a contract provider
22 for services or goods provided under a contract with the
23 health maintenance organization which the organization does
24 not contest or deny within 35 days after receipt of the claim
25 by the health maintenance organization which may be mailed or
26 electronically transferred by the provider.

27 (b) A health maintenance organization that denies or
28 contests a provider claim shall notify the contract provider,
29 in writing, within 35 days after receipt of the claim by the
30 health maintenance organization that the claim is contested or
31 denied. The notice that the claim is denied or contested must

1 identify the contested portion of the claim and the specific
2 reason for contesting or denying the claim, and may include a
3 request for additional information. If the health maintenance
4 organization requests additional information, the provider
5 shall, within 35 days after receipt of such request, mail or
6 electronically transfer the information to the Medicaid health
7 maintenance organization. The health maintenance organization
8 shall pay or deny the claim or portion of the claim within 45
9 days after receipt of the information.

10 (2) Payment of a claim is considered made on the date
11 the payment was received or electronically transferred or
12 otherwise delivered. An overdue payment of a claim bears
13 simple interest at the rate of 10 percent per year.

14 (3) A health maintenance organization shall pay or
15 deny any claim no later than 120 days after receiving the
16 claim.

17 Section 2. This act shall take effect October 1 of the
18 year in which enacted.

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