

By Senator Silver

38-641-98

1 A bill to be entitled
2 An act relating to managed care
3 nondiscrimination; amending ss. 408.706,
4 627.6472, F.S.; creating s. 641.3923, F.S.;
5 prohibiting accountable health partnerships,
6 exclusive provider organizations, and health
7 maintenance organizations from discriminating
8 with respect to participation, reimbursement,
9 or indemnification as to any provider who is
10 acting within the scope of the provider's
11 licensure and certification; providing an
12 effective date.

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

16 Section 1. Subsection (14) is added to section
17 408.706, Florida Statutes, to read:

18 408.706 Community health purchasing alliances;
19 accountable health partnerships.--

20 (14) An accountable health partnership may not
21 discriminate with respect to participation, reimbursement, or
22 indemnification as to any provider who is acting within the
23 scope of the provider's licensure and certification under
24 applicable state law, solely on the basis of such licensure or
25 certification. This subsection does not prohibit a plan from
26 including providers only to the extent necessary to meet the
27 needs of the plan's enrollees or from establishing any measure
28 designed to maintain quality and control costs consistent with
29 the responsibilities of the plan.

30 Section 2. Subsection (17) is added to section
31 627.6472, Florida Statutes, to read:

1 627.6472 Exclusive provider organizations.--
2 (17) An exclusive provider organization may not
3 discriminate with respect to participation, reimbursement, or
4 indemnification as to any provider who is acting within the
5 scope of the provider's licensure and certification under
6 applicable state law, solely on the basis of such licensure or
7 certification. This subsection does not prohibit a plan from
8 including providers only to the extent necessary to meet the
9 needs of the plan's enrollees or from establishing any measure
10 designed to maintain quality and control costs consistent with
11 the responsibilities of the plan.

12 Section 3. Section 641.3923, Florida Statutes, is
13 created to read:

14 641.3923 Discrimination against providers
15 prohibited.--A health maintenance organization may not
16 discriminate with respect to participation, reimbursement, or
17 indemnification as to any provider who is acting within the
18 scope of the provider's licensure and certification under
19 applicable state law, solely on the basis of such licensure or
20 certification. This section does not prohibit a plan from
21 including providers only to the extent necessary to meet the
22 needs of the plan's enrollees or from establishing any measure
23 designed to maintain quality and control costs consistent with
24 the responsibilities of the plan.

25 Section 4. This act shall take effect upon becoming a
26 law.

27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Prohibits accountable health partnerships, exclusive provider organizations, and health maintenance organizations from discriminating with respect to participation, reimbursement, or indemnification as to any health care provider who is acting within the scope of the provider's licensure and certification.