

By Representative Villalobos

1                                   A bill to be entitled  
2           An act relating to health maintenance  
3           organizations; amending s. 641.31, F.S.;  
4           providing that an organization's subscriber  
5           contract shall not contain any provision  
6           prohibiting or restricting a contracted  
7           physician's ability to provide inpatient  
8           hospital services to the subscriber; amending  
9           s. 641.315, F.S.; providing that an  
10          organization's provider contract shall not  
11          contain any provision prohibiting or  
12          restricting the provider's ability to provide  
13          inpatient hospital services to the provider's  
14          patients; amending s. 641.3155, F.S.; providing  
15          that an organization shall not deny payment to  
16          a contract provider for medically necessary  
17          inpatient hospital services provided to the  
18          provider's patients which are covered under the  
19          organization's provider contract; providing an  
20          effective date.

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

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24           Section 1. Subsection (39) is added to section 641.31,  
25 Florida Statutes, to read:

26           641.31 Health maintenance contracts.--

27           (39) No health maintenance contract may contain any  
28 provision prohibiting or restricting a contracted physician's  
29 ability to provide inpatient hospital services to the  
30 subscriber.

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1 Section 2. Subsection (11) is added to section  
2 641.315, Florida Statutes, to read:  
3 641.315 Provider contracts.--  
4 (11) A contract between a health maintenance  
5 organization and a provider of health care services shall not  
6 contain any provision prohibiting or restricting the  
7 provider's ability to provide inpatient hospital services to  
8 the provider's patients.

9 Section 3. Subsection (5) is added to section  
10 641.3155, Florida Statutes, to read:  
11 641.3155 Provider contracts; payment of claims.--  
12 (5) A health maintenance organization shall not deny  
13 payment to a contract provider for inpatient hospital services  
14 provided by the contracted provider, if medically necessary,  
15 to the provider's patients, as long as such services are  
16 covered services under the organization's contract with the  
17 contract holder.

18 Section 4. This act shall take effect July 1, 2000,  
19 and shall apply to all contracts renewed or entered into on or  
20 after that date.

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23 HOUSE SUMMARY

24 Prohibits HMO subscriber or provider contracts from  
25 containing any provision prohibiting or restricting a  
26 contracted physician's or provider's ability to provide  
27 inpatient hospital services to the subscriber or to the  
28 provider's patients. Prohibits denial of payment by an  
29 HMO to a contract provider for medically necessary  
30 inpatient hospital services provided to the provider's  
31 patients which are covered under the HMO's provider  
contract.