

By the Committee on Health Care Services and Representatives Villalobos, Casey, Jacobs, A. Greene, Betancourt, Cantens, Morroni, Wallace, Ritchie, Kyle, Farkas, Bense, Melvin, Levine, Barreiro, Wilson, Garcia, Bush, Sobel, Chestnut, Cosgrove, Gottlieb, Fasano, Crow and Murman

1 A bill to be entitled
2 An act relating to health maintenance
3 organizations; amending ss. 641.31, 641.315,
4 and 641.3155, F.S.; prohibiting a health
5 maintenance organization from restricting a
6 provider's ability to provide inpatient
7 hospital services to a subscriber; requiring
8 payment for medically necessary inpatient
9 hospital services; providing for the
10 applicability of the provisions of the act;
11 providing an effective date.

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

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

17 641.31 Health maintenance contracts.--
18 (39) A health maintenance organization contract may
19 not prohibit or restrict a contracted primary care or
20 admitting physician from providing inpatient services in a
21 contracted hospital to a subscriber if such services are
22 determined by the organization to be medically necessary and
23 covered services under the organization's contract with the
24 contract holder.

25 Section 2. Subsection (11) is added to section
26 641.315, Florida Statutes, to read:

27 641.315 Provider contracts.--
28 (11) A contract between a health maintenance
29 organization and a contracted primary care or admitting
30 physician may not contain any provision that prohibits such
31 physician from providing inpatient services in a contracted

1 hospital to a subscriber if such services are determined by
2 the organization to be medically necessary and covered
3 services under the organization's contract with the contract
4 holder.

5 Section 3. Subsection (5) is added to section
6 641.3155, Florida Statutes, to read:

7 641.3155 Provider contracts; payment of claims.--
8 (5) A health maintenance organization shall pay a
9 contracted primary care or admitting physician, pursuant to
10 such physician's contract, for providing inpatient services in
11 a contracted hospital to a subscriber, if such services are
12 determined by the organization to be medically necessary and
13 covered services under the organization's contract with the
14 contract holder.

15 Section 4. Nothing in this act shall require a
16 hospital to accept an admission from a physician to whom the
17 hospital has not extended admitting privileges.

18 Section 5. This act shall take effect July 1, 2000.
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