

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 a limitation;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (39) is added to section 641.31,
15 Florida Statutes, to read:

16 641.31 Health maintenance contracts.--

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

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

26 641.315 Provider contracts.--

27 (11) A contract between a health maintenance
28 organization and a contracted primary care or admitting
29 physician may not contain any provision that prohibits such
30 physician from providing inpatient services in a contracted
31 hospital to a subscriber if such services are determined by

1 the organization to be medically necessary and covered
2 services under the organization's contract with the contract
3 holder.

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

6 641.3155 Provider contracts; payment of claims.--

7 (5) A health maintenance organization shall pay a
8 contracted primary care or admitting physician, pursuant to
9 such physician's contract, for providing inpatient services in
10 a contracted hospital to a subscriber, if such services are
11 determined by the organization to be medically necessary and
12 covered services under the organization's contract with the
13 contract holder; provided, however, that the physician shall
14 not be reimbursed twice for the same service.

15 Section 4. This act shall take effect July 1, 2000,
16 and shall apply to provider contracts entered into or renewed
17 on or after that date.