

By Senator Geller

29-1022-00

1                                   A bill to be entitled  
2           An act relating to unfair or deceptive acts;  
3           amending s. 626.9541, F.S.; prohibiting  
4           coercion of health care providers by health  
5           insurance plans; amending s. 641.3903, F.S.;  
6           prohibiting coercion of health care providers  
7           by health maintenance organizations; providing  
8           an effective date.

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

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12           Section 1. Paragraph (bb) is added to subsection (1)  
13   of section 626.9541, Florida Statutes, to read:

14           626.9541 Unfair methods of competition and unfair or  
15   deceptive acts or practices defined.--

16           (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR  
17   DECEPTIVE ACTS.--The following are defined as unfair methods  
18   of competition and unfair or deceptive acts or practices:

19           (bb) Coercion by certain health insurance  
20   plans.--Requiring a health care provider, as a condition of  
21   participation in a health insurance plan or insurance product  
22   of the entity, to participate in the entity's or the entity's  
23   affiliates' current or subsequently developed health insurance  
24   plans, insurance products, or health maintenance organization  
25   plans that have different terms, conditions, or levels of  
26   payment.

27           Section 2. Subsection (14) is added to section  
28   641.3903, Florida Statutes, to read:

29           641.3903 Unfair methods of competition and unfair or  
30   deceptive acts or practices defined.--The following are

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1 defined as unfair methods of competition and unfair or  
2 deceptive acts or practices:  
3       (14) COERCION BY HEALTH MAINTENANCE  
4 ORGANIZATIONS.--Requiring a health care provider, as a  
5 condition of participation in a health maintenance  
6 organization, to participate in the organization's or the  
7 organization's affiliates' current or subsequently developed  
8 health maintenance organization plans, health insurance plans,  
9 or insurance products that have different terms, conditions,  
10 or levels of payment.

11           Section 3. This act shall take effect July 1, 2000.

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SENATE SUMMARY

Provides that specified acts by a health insurance plan or a health maintenance organization towards a health care provider are coercive and therefore prohibited as unfair and deceptive practices.