

By Senators King, Mitchell, Myers, Sullivan and Clary

8-75B-00

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

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

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

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641.31 Health maintenance contracts.--

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17 (39) A health maintenance organization contract may
18 not prohibit or restrict a contract primary-care or admitting
19 physician from providing in-patient services in a contracted
20 hospital to a subscriber 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.

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

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641.315 Provider contracts.--

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

1 services under the organization's contract with the contract
2 holder.

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

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

13 Section 4. This act shall take effect July 1, 2000.

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15 SENATE SUMMARY

16 Prohibits a health maintenance organization from
17 restricting a provider's ability to provide in-patient
18 hospital services to a subscriber. Requires payment for
19 medically necessary in-patient hospital services.

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