

By Representative Rubio

1 A bill to be entitled
2 An act relating to health maintenance
3 organizations; amending s. 641.51, F.S.;
4 providing a licensure requirement for a
5 physician who renders an adverse determination
6 regarding services provided by another
7 state-licensed physician; eliminating authority
8 of certain out-of-state physicians to render
9 such determinations; providing an effective
10 date.

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

13
14 Section 1. Subsection (4) of section 641.51, Florida
15 Statutes, is amended to read:

16 641.51 Quality assurance program; second medical
17 opinion requirement.--

18 (4) The organization shall ensure that only a
19 physician with an active, unencumbered license ~~licensed~~ under
20 chapter 458 or chapter 459, ~~or an allopathic or osteopathic~~
21 ~~physician with an active, unencumbered license in another~~
22 ~~state with similar licensing requirements~~ may render an
23 adverse determination regarding a service provided by a
24 physician licensed in this state. The organization shall
25 submit to the treating provider and the subscriber written
26 notification regarding the organization's adverse
27 determination within 2 working days after the subscriber or
28 provider is notified of the adverse determination. The written
29 notification must include the utilization review criteria or
30 benefits provisions used in the adverse determination,
31 identify the physician who rendered the adverse determination,

1 and be signed by an authorized representative of the
2 organization or the physician who rendered the adverse
3 determination. The organization must include with the
4 notification of an adverse determination information
5 concerning the appeal process for adverse determinations.

6 Section 2. This act shall take effect upon becoming a
7 law.

8

9

10

HOUSE SUMMARY

11

12 Requires the state license of a physician who renders an
13 adverse determination for a health maintenance
14 organization, regarding services provided by another
15 physician, to be an active, unencumbered license.
16 Eliminates a provision that allows such determinations to
17 be made by certain out-of-state physicians.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31