

By the Committee on Banking and Insurance; and Senators Crist, Peadar, Wasserman Schultz, Dawson, Campbell, Saunders and Geller

311-1502A-01

1 A bill to be entitled
2 An act relating to health insurers and health
3 maintenance organizations; creating s.
4 627.6474, F.S.; prohibiting health insurers
5 from requiring contracted health care providers
6 to accept the terms of other health care
7 contracts as a condition of continuation or
8 renewal; amending s. 627.662, F.S.; applying
9 such prohibition to group health insurance,
10 blanket health insurance, and franchise health
11 insurance; amending s. 641.315, F.S.; applying
12 such prohibition to health maintenance
13 organizations; providing an effective date.

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

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17 Section 1. Section 627.6474, Florida Statutes, is
18 created to read:

19 627.6474 Provider contracts.--A health insurer shall
20 not require a contracted health care provider licensed under
21 chapter 458, 459, 460, 461, or 466 to accept the terms of
22 other health care provider contracts as a condition of
23 continuation or renewal. Any contract provision that violates
24 this section is void. A violation of this section is not
25 subject to the criminal penalty specified in s. 624.15.

26 Section 2. Subsection (11) is added to section
27 627.662, Florida Statutes, to read:

28 627.662 Other provisions applicable.--The following
29 provisions apply to group health insurance, blanket health
30 insurance, and franchise health insurance:

31 (11) Section 627.6474, relating to provider contracts.

1 Section 3. Subsection (10) is added to section
2 641.315, Florida Statutes, to read:

3 641.315 Provider contracts.--

4 (10) A health maintenance organization shall not
5 require a contracted health care provider licensed under
6 chapter 458, 459, 460, 461, or 466 to accept the terms of
7 other health care provider contracts as a condition of
8 continuation or renewal. Any contract provision that violates
9 this section is void. A violation of this section is not
10 subject to the criminal penalty specified in s. 624.15.

11 Section 4. This act shall take effect July 1, 2001,
12 and shall apply to contracts entered into or renewed on or
13 after that date.

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15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 SB 836

18 Revises the bill to prohibit a health insurer or a health
19 maintenance organization (HMO) from requiring a health care
20 provider, who is currently under contract with the subject
21 insurer or HMO, to accept the terms of other health care
22 provider contracts as a condition of continuing or renewing
23 the initial contract.

24 Removes criminal penalties and provisions making it an unfair
25 or deceptive trade practice if insurers and HMOs coerce or
26 retaliate against health care providers under certain
27 conditions.

28 Applies only to provider contracts with physicians,
29 osteopaths, chiropractors, podiatrists, and dentists.
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