

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 certain contracted health care  
6           practitioners to accept the terms of other  
7           health care contracts as a condition of  
8           continuation or renewal; providing exceptions;  
9           amending s. 627.662, F.S.; applying this  
10          prohibition to group health insurance, blanket  
11          health insurance, and franchise health  
12          insurance; amending s. 641.315, F.S.; applying  
13          this prohibition to health maintenance  
14          organizations; providing an effective date.

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

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

20           627.6474 Provider contracts.--A health insurer shall  
21 not require a contracted health care practitioner as defined  
22 in s. 456.001(4) to accept the terms of other health care  
23 practitioner contracts with the insurer, including Medicare  
24 and Medicaid practitioner contracts and those authorized by s.  
25 627.6471, s. 627.6472, or s. 641.315, except for a  
26 practitioner in a group practice as defined in s. 456.053 who  
27 must accept the terms of a contract negotiated for the  
28 practitioner by the group, as a condition of continuation or  
29 renewal of the contract. Any contract provision that violates  
30 this section is void. A violation of this section is not  
31 subject to the criminal penalty specified in s. 624.15.

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

3           627.662 Other provisions applicable.--The following  
4 provisions apply to group health insurance, blanket health  
5 insurance, and franchise health insurance:

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

7           Section 3. Subsection (10) is added to section  
8 641.315, Florida Statutes, to read:

9           641.315 Provider contracts.--

10          (10) A health maintenance organization shall not  
11 require a contracted health care practitioner as defined in s.  
12 456.001(4) to accept the terms of other health care  
13 practitioner contracts with the health maintenance  
14 organization, including Medicare and Medicaid practitioner  
15 contracts and those authorized by s. 627.6471, s. 627.6472, or  
16 s. 641.315, except for a practitioner in a group practice as  
17 defined in s. 456.053 who must accept the terms of a contract  
18 negotiated for the practitioner by the group, as a condition  
19 of continuation or renewal of the contract. Any contract  
20 provision that violates this section is void. A violation of  
21 this section is not subject to the criminal penalty specified  
22 in s. 624.15.

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