

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 or any other insurer,
24 or health maintenance organization, under common management
25 and control with the insurer, including Medicare and Medicaid
26 practitioner contracts and those authorized by s. 627.6471, s.
27 627.6472, or s. 641.315, except for a practitioner in a group
28 practice as defined in s. 456.053 who must accept the terms of
29 a contract negotiated for the practitioner by the group, as a
30 condition of continuation or renewal of the contract. Any
31 contract provision that violates this section is void. A

1 violation of this section is not subject to the criminal
2 penalty specified in s. 624.15.

3 Section 2. Subsection (11) is added to section
4 627.662, Florida Statutes, to read:

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

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

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

11 641.315 Provider contracts.--

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

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

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