

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. Barcode 951026

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Campbell moved the following amendment:

Senate Amendment (with title amendment)

On page 13, line 15, delete that line

and insert:

(13) A permissive error ratio of 5 percent is established for insurers claims payment violations of s. 627.613(4)(a), (b), (c), and (e) and s. (5)(a), (b), (c), and (e). If the error ratio of a particular insurer does not exceed the permissible error ratio of 5 percent for an audit period, a fine may not be assessed for the noted claims violations for the audit period. The error ratio shall be determined by dividing the number of claims with violations found on a statistically valid sample of claims for the audit period, divided by the total number of claims in the sample. If the error ratio exceeds the permissible error ratio of 5 percent, a fine may be assessed according to s. 624.4211 for the claims payment violations that exceed the error ratio. Notwithstanding the provisions of this section, the department may fine a health insurer for claims payment violations of s.

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1 627.613(4)(e) and (5)(e) which create an uncontestable
2 obligation to pay the claim. The department may not fine
3 insurers for violations that the department determines were
4 due to circumstances beyond the insurer's control.

5 (14) The provisions of this section may not be waived,
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8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 1, line 19, after the semicolon,
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12 insert:

13 establishing a permissive error ratio and
14 providing guidelines for applying the ratio;
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