

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Farkas offered the following:

Amendment (with title amendment)

Between lines 571 and 572, and insert:

Section 12. Section 641.3101, Florida Statutes, is amended to read:

641.3101 Additional contract contents.—

(1) A health maintenance contract may contain additional provisions not inconsistent with this part which are:

(a)~~(1)~~ Necessary, on account of the manner in which the organization is constituted or operated, in order to state the rights and obligations of the parties to the contract; or

(b)~~(2)~~ Desired by the organization and neither prohibited by law nor in conflict with any provisions required to be included therein.

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27 (2) A health maintenance contract that uses a specific
 28 methodology for payment of claims shall comply with s. 627.6044.
 29 The method used for determining the payment of claims shall be
 30 included in filings made pursuant to s. 641.31(3) and may not be
 31 changed unless such change is filed under s. 641.31(3). Upon the
 32 effective date of such a filing, the payment methodology
 33 contained therein shall govern, notwithstanding any other
 34 provision of law. A health maintenance organization's compliance
 35 with the provisions of this section shall constitute a defense
 36 against any claim by subscribers or providers pertaining to
 37 methodology of payment.

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===== T I T L E A M E N D M E N T =====

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Remove lines 59, and insert:

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criteria and limits; amending s. 641.3101, F.S.; providing a
 44 compliance requirement for health maintenance contracts using a
 45 specific payment of claims methodology; providing for
 46 compliance; providing that compliance constitutes a defense
 47 against specified claims; creating s. 641.31075, F.S.; providing

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