

Bill No. CS for CS for SB 1712

Amendment No. \_\_\_\_ Barcode 842936

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
		.	
2	04/24/2003	5/AD/2R	
	05:44 PM	.	
3		.	
		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senators Alexander and Posey moved the following amendment:		
12			
13	<b>Senate Amendment (with title amendment)</b>		
14	On page 1712, line 1-29, delete		
15			
16	and insert:		
17	Section 1365. Paragraph (b) of subsection (1) of		
18	section 631.818, Florida Statutes, is amended to read:		
19	631.818 Powers and duties of the plan.--		
20	(1) In the event that an HMO is insolvent, the plan		
21	shall:		
22	(b) Cover all services that would have been covered by		
23	the subscribers' contracts with the insolvent HMO during any		
24	period from the date of insolvency until the effective date of		
25	the replacement coverage with another HMO or other entity that		
26	provides health care services or reimbursement or with a		
27	product determined by the plan and approved by the <u>office</u>		
28	<del>department</del> .		
29	Section 1366. Subsection (1) and paragraph (d) of		
30	subsection (4) of section 631.820, Florida Statutes, are		
31	amended to read:		

Bill No. CS for CS for SB 1712

Amendment No. \_\_\_\_ Barcode 842936

1           631.820 Plan of operation.--

2           (1) The plan shall submit to the office department a  
3 proposed plan of operation and any amendments thereto  
4 necessary or suitable to assure the fair, reasonable, and  
5 equitable administration of the plan. The proposed plan of  
6 operation and any amendments thereto shall become effective  
7 upon approval in writing by the office department.

8           (4)

9           (d) A delegation under this subsection shall take  
10 effect only with the approval of both the board of directors  
11 and the office department and may be made only to an  
12 administrator which extends protection not substantially less  
13 favorable and effective than that provided by this part.

14           Section 1367. Section 631.821, Florida Statutes, is  
15 amended to read:

16           631.821 Powers and duties of the department.--

17           (1) The office department may suspend or revoke, after  
18 notice and hearing, the certificate of authority of a member  
19 HMO that fails to pay an assessment when due, fails to comply  
20 with the approved plan of operation of the plan, or fails  
21 either to timely comply with or to timely appeal pursuant to  
22 subsection (2) its appointment ~~under s. 631.818(2)~~.

23           (2) Any action of the board of directors of the plan  
24 may be appealed to the office department by any member HMO if  
25 such appeal is taken within 21 days of the action being  
26 appealed; however, the HMO must comply with such action  
27 pending exhaustion of appeal under s. 631.818(2). Any appeal  
28 shall be promptly determined by the office department, and  
29 final action or order of the office department shall be  
30 subject to judicial review in a court of competent  
31 jurisdiction.

Bill No. CS for CS for SB 1712

Amendment No.      Barcode 842936

1           (3) The department may~~+~~  
2           ~~(a)~~ require that the plan notify the subscriber of the  
3 insolvent HMO and any other interested parties of the  
4 determination of insolvency and of their rights under this  
5 part. Such notification shall be by mail at their last known  
6 addresses, when available, but if sufficient information for  
7 notification by mail is not available, notice by publication  
8 in a newspaper of general circulation shall be sufficient.

9           ~~(4)(b)~~ The office may revoke the designation of any  
10 servicing facility or administrator if it finds claims are  
11 being handled unsatisfactorily.

12           Section 1368. Section 631.823, Florida Statutes, is  
13 amended to read:

14           631.823 Examination of the plan; annual report.--The  
15 plan shall be subject to examination and regulation by the  
16 office ~~department~~. The board of directors shall submit to the  
17 office and the department, not later than May 1 of each year,  
18 a financial report for the preceding calendar year in a form  
19 approved by the commission ~~department~~ and a report of its  
20 activities during the preceding calendar year.

21  
22 (Redesignate subsequent sections.)

23  
24  
25 ===== T I T L E   A M E N D M E N T =====

26 And the title is amended as follows:

27           On page 10, line 14, delete the word "631.821,"

28  
29 and insert:

30           631.818, 631.820, 631.821, 631.823,

31