

Bill No. CS for CS for SB 2264

Amendment No. ____ Barcode 225832

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		

11 Senator Atwater moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 8, between lines 17 and 18,

15

16 insert:

17 Section 3. Subsection (2) and paragraph (d) of
18 subsection (3) of section 641.31, Florida Statutes, are
19 amended to read:

20 641.31 Health maintenance contracts.--

21 (2) The rates charged by any health maintenance
22 organization to its subscribers shall not be excessive,
23 inadequate, or unfairly discriminatory or follow a rating
24 methodology that is inconsistent, indeterminate, or ambiguous
25 or encourages misrepresentation or misunderstanding. A law
26 restricting or limiting deductibles, coinsurance, copayments,
27 or annual or lifetime maximum payments shall not apply to any
28 health maintenance organization contract that provides
29 coverage as described in s. 641.31071(5)(a)2., offered or
30 delivered to an individual or a group of 51 or more persons.

31 The department, in accordance with generally accepted

Bill No. CS for CS for SB 2264

Amendment No. ____ Barcode 225832

1 actuarial practice as applied to health maintenance
2 organizations, may define by rule what constitutes excessive,
3 inadequate, or unfairly discriminatory rates and may require
4 whatever information it deems necessary to determine that a
5 rate or proposed rate meets the requirements of this
6 subsection.

7 (3)

8 (d) Any change in rates charged for the contract must
9 be filed with the department not less than 30 days in advance
10 of the effective date. At the expiration of such 30 days, the
11 rate filing shall be deemed approved unless prior to such time
12 the filing has been affirmatively approved or disapproved by
13 order of the department. The approval of the filing by the
14 department constitutes a waiver of any unexpired portion of
15 such waiting period. The department may extend by not more
16 than an additional 15 days the period within which it may so
17 affirmatively approve or disapprove any such filing, by giving
18 notice of such extension before expiration of the initial
19 30-day period. At the expiration of any such period as so
20 extended, and in the absence of such prior affirmative
21 approval or disapproval, any such filing shall be deemed
22 approved. This paragraph does not apply to group health
23 contracts effectuated and delivered in this state, insuring
24 groups of 51 or more persons, except for Medicare supplement
25 insurance, long-term care insurance, and any coverage under
26 which the increase in claims costs over the lifetime of the
27 contract due to advancing age or duration is refunded in the
28 premium.

29
30 (Redesignate subsequent sections.)
31

Bill No. CS for CS for SB 2264

Amendment No. ____ Barcode 225832

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

2 And the title is amended as follows:

3 On page 1, line 15, after the semicolon,

4

5 insert:

6 amending s. 641.31, F.S.; specifying

7 nonapplication of certain health maintenance

8 contract filing requirements to certain group

9 health insurance policies; providing

10 exceptions;

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31