

By Senator Atwater

25-823A-03

1                                   A bill to be entitled  
2           An act relating to health insurance; amending  
3           s. 627.6515, F.S.; amending conditions that  
4           must be met to exempt from part VII of ch. 627,  
5           F.S., a group health insurance policy issued or  
6           delivered outside this state under which a  
7           resident of this state is provided coverage;  
8           providing rulemaking authority; providing an  
9           effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (2) of section 627.6515, Florida  
14 Statutes, is amended, and subsection (9) is added to that  
15 section, to read:

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627.6515 Out-of-state groups.--

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(2) Except as provided in this part, this part does  
18 not apply to a group health insurance policy issued or  
19 delivered outside this state under which a resident of this  
20 state is provided coverage if:

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(a) The policy is issued to an employee group the  
22 composition of which is substantially as described in s.  
23 627.653; a labor union group or association group the  
24 composition of which is substantially as described in s.  
25 627.654; an additional group the composition of which is  
26 substantially as described in s. 627.656; a group insured  
27 under a blanket health policy when the composition of the  
28 group is substantially in compliance with s. 627.659; a group  
29 insured under a franchise health policy when the composition  
30 of the group is substantially in compliance with s. 627.663;  
31 an association group to cover persons associated in any other

1 common group, which common group is formed primarily for  
2 purposes other than providing insurance; a group that is  
3 established primarily for the purpose of providing group  
4 insurance, provided the benefits are reasonable in relation to  
5 the premiums charged thereunder and the issuance of the group  
6 policy has resulted, or will result, in economies of  
7 administration; or a group of insurance agents of an insurer,  
8 which insurer is the policyholder;

9 (b) Certificates evidencing coverage under the policy  
10 are issued to residents of this state and contain in  
11 contrasting color and not less than 10-point type the  
12 following statement: "The benefits of the policy providing  
13 your coverage are governed primarily by the law of a state  
14 other than Florida"; ~~and~~

15 (c) The policy provides the benefits specified in ss.  
16 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,  
17 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and  
18 627.66911, and, regardless of what type of group described in  
19 this subsection the policy is issued to, the policy complies  
20 with the antidiscrimination provisions set forth in s.  
21 627.65625, regarding rating and eligibility for enrollment and  
22 for any benefit under the policy, and with s. 627.6571; and-

23 (d) The policy is not issued to a group that directly  
24 or indirectly uses any factor related to health status in  
25 determining eligibility for initial or continued membership in  
26 the group or initial or continued eligibility of any group  
27 member to participate in any aspect of the group insurance  
28 program. This paragraph does not apply to policies that  
29 provide coverage only to employers for the benefit of their  
30 employees.

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1       (9) The Office of Insurance Regulation shall adopt  
2 rules necessary to administer this section.

3             Section 2. This act shall take effect July 1, 2003.

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6   SENATE SUMMARY

7       Amends the list of conditions that must be met to exempt  
8       from pt. VII of ch. 627, F.S., a group health insurance  
9       policy issued or delivered outside this state under which  
10      a resident of this state is provided coverage. Provides  
11      rulemaking authority to the Office of Insurance  
12      Regulation.