

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Negron offered the following:

**Amendment (with title amendment)**

Between lines 327 and 328, insert:

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

641.31 Health maintenance contracts.--

(2) The rates charged by any health maintenance organization to its subscribers shall not be excessive, inadequate, or unfairly discriminatory or follow a rating methodology that is inconsistent, indeterminate, or ambiguous or encourages misrepresentation or misunderstanding. A law restricting or limiting deductibles, coinsurance, copayments, or annual or lifetime maximum payments shall not apply to any health maintenance organization contract offered or delivered to an individual or a group of 51 or more persons that provides

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28 coverage as described in s.641.31071(5)(a)2.department, in  
29 accordance with generally accepted actuarial practice as applied  
30 to health maintenance organizations, may define by rule what  
31 constitutes excessive, inadequate, or unfairly discriminatory  
32 rates and may require whatever information it deems necessary to  
33 determine that a rate or proposed rate meets the requirements of  
34 this subsection.

35 (3)

36 (d) Any change in rates charged for the contract must be  
37 filed with the department not less than 30 days in advance of  
38 the effective date. At the expiration of such 30 days, the rate  
39 filing shall be deemed approved unless prior to such time the  
40 filing has been affirmatively approved or disapproved by order  
41 of the department. The approval of the filing by the department  
42 constitutes a waiver of any unexpired portion of such waiting  
43 period. The department may extend by not more than an additional  
44 15 days the period within which it may so affirmatively approve  
45 or disapprove any such filing, by giving notice of such  
46 extension before expiration of the initial 30-day period. At the  
47 expiration of any such period as so extended, and in the absence  
48 of such prior affirmative approval or disapproval, any such  
49 filing shall be deemed approved. This paragraph does not apply  
50 to group health contracts effectuated and delivered in this  
51 state insuring groups of 51 or more persons, except for Medicare  
52 supplement insurance, long-term care insurance, and any coverage  
53 under which the increase in claims costs over the lifetime of  
54 the contract due to advancing age or duration is refunded in the  
55 premium.

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

59 Remove line(s) 24, and insert:  
60 circumstances; amending s. 641.31, F.S.; specifying  
61 nonapplication of certain health maintenance contract filing  
62 requirements to certain group health insurance policies, with  
63 exceptions; providing an effective date.