

1 A bill to be entitled
2 An act relating to health maintenance
3 organization provider contracts; amending s.
4 641.19, F.S.; defining the term "schedule of
5 reimbursements"; amending s. 641.315, F.S.;
6 requiring a contract between a health
7 maintenance organization and a provider to
8 disclose a complete schedule of reimbursements
9 for contracted services, including changes and
10 deviations; providing criteria, requirements,
11 and limitations; providing a definition;
12 providing an effective date.

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

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16 Section 1. Subsections (16) through (20) of section
17 641.19, Florida Statutes, are renumbered as subsections (17)
18 through (21), respectively, and a new subsection (16) is added
19 to said section to read:

20 641.19 Definitions.--As used in this part, the term:
21 (16) "Schedule of reimbursements" means a schedule of
22 fees to be paid by a health maintenance organization to a
23 physician provider for reimbursement for specific services
24 pursuant to the terms of a contract. The physician provider's
25 net reimbursement may vary after consideration of other
26 factors, including, but not limited to, bundling codes
27 together into another code and member cost-sharing
28 responsibility, as long as these factors are disclosed and
29 included in the terms of the contract between the health
30 maintenance organization and provider. The reimbursement
31 schedule may be stated as:

1 (a) A percentage of the Medicare fee schedule for
2 specific relative-value services;
3 (b) A listing of the reimbursements to be paid by
4 Current Procedural Terminology codes for physicians that
5 pertain to each physician's practice; or
6 (c) Any other method agreed upon by the parties.
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8 Specific non-relative-value services shall be stated
9 separately from relative-value services, and reimbursement for
10 unclassified services shall be on a reasonable basis.
11 Section 2. Subsection (4) of section 641.315, Florida
12 Statutes, is amended to read:
13 641.315 Provider contracts.--
14 (4) Whenever a contract exists between a health
15 maintenance organization and a provider, the health
16 maintenance organization shall disclose to the provider:
17 (a) The mailing address or electronic address where
18 claims should be sent for processing.~~†~~
19 (b) The telephone number that a provider may call to
20 have questions and concerns regarding claims addressed.~~†~~~~and~~
21 (c) The address of any separate claims-processing
22 centers for specific types of services.
23 (d)1. The complete schedule of reimbursements for all
24 the services for which a health maintenance organization and a
25 provider have contracted and any changes in or deviations from
26 the contracted schedule of reimbursements. The health
27 maintenance organization may satisfy this requirement by:
28 a. Providing the schedule of reimbursements or changes
29 in or deviations from the schedule by electronic means to the
30 provider; or
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1 b. Providing a written copy of the schedule of
2 reimbursements or changes or deviations from the schedule if
3 requested by the provider.

4 2. The schedule of reimbursements is subject to the
5 nondisclosure provisions of the contract, and the provider
6 shall maintain the confidentiality of the schedule. For
7 purposes of this paragraph, the term "provider" means a
8 physician licensed under chapter 458, chapter 459, chapter
9 460, chapter 461, or chapter 466.

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11 A health maintenance organization shall provide to its
12 contracted providers no less than 30 calendar days' prior
13 written notice of any changes in the information required in
14 this subsection.

15 Section 3. This act shall take effect January 1, 2005.