

By Senator Peaden

2-962-04

1 A bill to be entitled
2 An act relating to health flex plans; amending
3 s. 408.909, F.S.; expanding a pilot program to
4 provide for the establishment of health flex
5 plans statewide by the Agency for Health Care
6 Administration and the Office of Insurance
7 Regulation of the Financial Services
8 Commission; authorizing the agency and the
9 commission to adopt rules; providing an
10 effective date.

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

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14 Section 1. Subsection (3) of section 408.909, Florida
15 Statutes, is amended to read:

16 408.909 Health flex plans.--

17 (3) HEALTH FLEX PILOT PROGRAM.--The agency and the
18 office shall each approve or disapprove health flex plans that
19 provide health care coverage for eligible participants ~~who~~
20 ~~reside in the three areas of the state that have the highest~~
21 ~~number of uninsured persons, as identified in the Florida~~
22 ~~Health Insurance Study conducted by the agency and in Indian~~
23 ~~River County.~~ A health flex plan may limit or exclude benefits
24 otherwise required by law for insurers offering coverage in
25 this state, may cap the total amount of claims paid per year
26 per enrollee, may limit the number of enrollees, or may take
27 any combination of those actions.

28 (a) The agency shall develop guidelines for the review
29 of applications for health flex plans and shall disapprove or
30 withdraw approval of plans that do not meet or no longer meet
31 minimum standards for quality of care and access to care.

1 (b) The office shall develop guidelines for the review
2 of health flex plan applications and shall disapprove or shall
3 withdraw approval of plans that:

4 1. Contain any ambiguous, inconsistent, or misleading
5 provisions or any exceptions or conditions that deceptively
6 affect or limit the benefits purported to be assumed in the
7 general coverage provided by the health flex plan;

8 2. Provide benefits that are unreasonable in relation
9 to the premium charged or contain provisions that are unfair
10 or inequitable or contrary to the public policy of this state,
11 that encourage misrepresentation, or that result in unfair
12 discrimination in sales practices; or

13 3. Cannot demonstrate that the health flex plan is
14 financially sound and that the applicant is able to underwrite
15 or finance the health care coverage provided.

16 (c) The agency and the Financial Services Commission
17 may adopt rules ~~as needed~~ to administer this section.

18 Section 2. This act shall take effect upon becoming a
19 law.

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22 SENATE SUMMARY

23 Provides for the statewide establishment of health flex
24 plans by the Agency for Health Care Administration and
25 the Office of Insurance Regulation of the Financial
26 Services Commission.
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