

By Senator Fasano

11-1700-04

1 A bill to be entitled
2 An act relating to emergency medical services
3 provided by health maintenance organizations;
4 amending s. 641.513, F.S.; limiting the amount
5 of reimbursement available to a provider for
6 hospital services if the provider does not have
7 a contract with the health maintenance
8 organization; requiring reimbursement for
9 hospital emergency services that are provided
10 to a subscriber as specified, regardless of the
11 existence of an emergency medical condition;
12 providing an effective date.

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

16 Section 1. Subsection (5) of section 641.513, Florida
17 Statutes, is amended to read:

18 641.513 Requirements for providing emergency services
19 and care.--

20 (5) Reimbursement for services pursuant to this
21 section by a provider who does not have a contract with the
22 health maintenance organization shall be the lesser of:

23 (a) The provider's charges;

24 (b) The usual and customary provider charges for
25 similar services in the community where the services were
26 provided; ~~or~~

27 (c) The charge mutually agreed to by the health
28 maintenance organization and the provider within 60 days of
29 the submission of the claim; ~~or-~~

30 (d) For hospital services only, 120 percent of the
31 Medicare rate.

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Such reimbursement shall be net of any applicable copayment authorized pursuant to subsection (4). If a hospital provides emergency services, whether outpatient or inpatient, to a subscriber, reimbursement for hospital services covered under the subscriber's contract shall be in accordance with this subsection, regardless of the existence of an emergency medical condition.

Section 2. This act shall take effect July 1, 2004.

SENATE SUMMARY

Limits reimbursement for emergency medical services provided if the provider does not have a contract with the health maintenance organization. Requires reimbursement as specified when a hospital has provided emergency services to a subscriber, regardless of the existence of an emergency medical condition.