

By Senators Fasano, Lawson and Baker

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A bill to be entitled

An act relating to employee health care access;
amending s. 627.6699, F.S.; revising standards
for determining applicability of the Employee
Health Care Access Act; prescribing acts that
may be performed by an employer without being
considered contributing to premiums or
facilitating administration of a policy;
providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section
627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.--

(4) APPLICABILITY AND SCOPE.--

(a)1. This section applies to a health benefit plan
that provides coverage to employees of a small employer in
this state, unless the coverage policy is marketed directly to
the individual employee, and the employer does not contribute
directly or indirectly to participate in the collection or
distribution of premiums or facilitate the administration of
the coverage policy in any manner.

2. For the purposes of subparagraph 1., an employer
shall not be deemed to be contributing to the premiums or
facilitating the administration of coverage if the employer
does not contribute toward the premium and merely collects the
premiums for such coverage from an employee's wages or salary
through a payroll deduction and submits payment for the
premiums of one or more employees in a lump sum to a carrier.
A carrier may offer coverage as described in this subparagraph

1 to individual employees without being subject to this section
2 if the employer has not had a group health benefit plan in
3 place in the prior 3 months. An employer that offers a group
4 health benefit plan may facilitate the purchase of coverage as
5 described in this subparagraph by employees that are
6 ineligible for the group health benefit plan if the employer
7 has not changed its eligibility requirements in the prior 3
8 months.

9 Section 2. This act shall take effect July 1, 2005.

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12 SENATE SUMMARY

13 Clarifies, with respect to the Employee Health Care
14 Access Act, that an employer is not contributing to a
15 premium or facilitating the administration of coverage if
16 the employer collects premiums from the employee through
17 a payroll deduction and transfers the premiums to the
18 insurance carrier. Authorizes a carrier to offer coverage
19 when the employer has not had a group health benefit plan
20 in place, and for an employer to facilitate the purchase
21 of coverage to employees ineligible for the group plan if
22 the employer has not changed the eligibility
23 requirements, in the prior 3 months.
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