

597-1612-05

1 A bill to be entitled  
2 An act relating to health maintenance  
3 organizations; amending s. 641.316, F.S.;  
4 redefining the term "fiscal intermediary  
5 services organization"; amending s. 641.234,  
6 F.S.; expanding the requirement that a health  
7 maintenance organization remains responsible  
8 for violations of certain statutory  
9 requirements if the organization transfers to  
10 any entity the obligations to pay any provider  
11 for claims arising from services to subscribers  
12 of the organization; providing an effective  
13 date.

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

16  
17 Section 1. Paragraph (b) of subsection (2) of section  
18 641.316, Florida Statutes, is amended to read:

19 641.316 Fiscal intermediary services.--

20 (2)

21 (b) The term "fiscal intermediary services  
22 organization" means a person or entity that ~~which~~ performs  
23 fiduciary or fiscal intermediary services to health care  
24 professionals who contract with health maintenance  
25 organizations other than ~~a fiscal intermediary services~~  
26 ~~organization owned, operated, or controlled by~~ a hospital  
27 licensed under chapter 395, an insurer licensed under chapter  
28 624, a third-party administrator licensed under chapter 626, a  
29 prepaid limited health service organization licensed under  
30 chapter 636, a health maintenance organization licensed under  
31 this chapter, or physician group practices as defined in s.

1 456.053(3)(h) and providing services under the scope of  
2 licenses of the members of the group practice.

3 Section 2. Subsection (4) of section 641.234, Florida  
4 Statutes, is amended to read:

5 641.234 Administrative, provider, and management  
6 contracts.--

7 (4)(a) If a health maintenance organization, ~~through a~~  
8 ~~health care risk contract,~~ transfers to any entity the  
9 obligations to pay any provider for any claims arising from  
10 services provided to or for the benefit of any subscriber of  
11 the organization, the health maintenance organization shall  
12 remain responsible for any violations of ss. 641.3155,  
13 641.3156, and 641.51(4). The provisions of ss.  
14 624.418-624.4211 and 641.52 shall apply to any such  
15 violations.

16 (b) As used in this subsection, +

17 ~~1. The term "health care risk contract" means a~~  
18 ~~contract under which an entity receives compensation in~~  
19 ~~exchange for providing to the health maintenance organization~~  
20 ~~a provider network or other services, which may include~~  
21 ~~administrative services.~~

22 ~~2. the term "entity" means a person licensed as an~~  
23 ~~administrator under s. 626.88 and does not include any~~  
24 ~~provider or group practice, as defined in s. 456.053,~~  
25 ~~providing services under the scope of the license of the~~  
26 ~~provider or the members of the group practice. The term does~~  
27 ~~not include a hospital providing billing, claims, and~~  
28 ~~collection services solely on its own and its physicians'~~  
29 ~~behalf and providing services under the scope of its license.~~

30 Section 3. This act shall take effect October 1, 2005.

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SENATE SUMMARY

Redefines the term "fiscal intermediary services organization" to remove an exclusion provided for certain organizations owned, operated, or controlled by a hospital and to clarify that the term includes certain group practices. Provides that a health maintenance organization remains responsible for certain violations regardless of the form of certain transfers of the obligation to pay claims.