

CHAMBER ACTION

1 The Health Care General Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Employee Health Care Access Act;
7 amending s. 627.6699, F.S.; revising application of the
8 act; providing construction; authorizing carriers to offer
9 coverage to certain employees without being subject to the
10 act under certain circumstances; providing requirements;
11 providing an effective date.

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

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15 Section 1. Paragraph (a) of subsection (4) of section
16 627.6699, Florida Statutes, is amended to read:

17 627.6699 Employee Health Care Access Act.--

18 (4) APPLICABILITY AND SCOPE.--

19 (a)1. This section applies to a health benefit plan that
20 provides coverage to employees of a small employer in this
21 state, unless the coverage policy is marketed directly to the
22 individual employee, and the employer does not contribute
23 directly or indirectly to participate in the collection or

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24 ~~distribution of~~ premiums or facilitate the administration of the
 25 coverage policy in any manner. For the purposes of this
 26 subparagraph, an employer shall not be deemed to be contributing
 27 to the premiums or facilitating the administration of coverage
 28 if the employer does not contribute towards the premium and
 29 merely collects the premiums for such coverage from an
 30 employee's wages or salary through payroll deduction and submits
 31 payment for the premiums of one or more employees in a lump sum
 32 to a carrier.

33 2. A carrier authorized to issue group or individual
 34 health benefit plans under chapter 627 or chapter 641 may offer
 35 coverage as described in this subparagraph to individual
 36 employees without being subject to this section if the employer
 37 has not had a group health benefit plan in place in the prior 6
 38 months. A carrier authorized to issue group or individual health
 39 benefit plans under chapter 627 or chapter 641 may offer
 40 coverage as described in this subparagraph to employees that are
 41 not eligible employees as defined in this section, whether or
 42 not the small employer has a group health benefit plan in place.
 43 A carrier that offers coverage as described in this subparagraph
 44 must provide a cancellation notice to the primary insured at
 45 least 10 days prior to canceling the coverage for nonpayment of
 46 premium.

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