

1 A bill to be entitled

2 An act relating to health insurance; amending s. 627.638,
 3 F.S.; proscribing insurance contracts from prohibiting
 4 payment of benefits directly to a licensed hospital,
 5 physician, and dentist for certain care; providing a
 6 claims form requirement; amending s. 627.6699, F.S.;
 7 revising application of the act; providing construction;
 8 authorizing carriers to offer coverage to certain
 9 employees without being subject to the act under certain
 10 circumstances; providing requirements; providing an
 11 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. Subsection (2) of section 627.638, Florida
 16 Statutes, is amended to read:

17 627.638 Direct payment for hospital, medical services.--

18 (2) Whenever, in any health insurance claim form, an
 19 insured specifically authorizes payment of benefits directly to
 20 any recognized hospital, ~~or~~ physician, or dentist, the insurer
 21 shall make such payment to the designated provider of such
 22 services, unless otherwise provided in the insurance contract.
 23 The insurance contract may not prohibit, and claims forms must
 24 provide option for, the payment of benefits directly to a
 25 licensed hospital, physician, and dentist for care provided
 26 pursuant to s. 395.1041.

27 Section 2. Paragraph (a) of subsection (4) of section
 28 627.6699, Florida Statutes, is amended to read:

29 | 627.6699 Employee Health Care Access Act.--

30 | (4) APPLICABILITY AND SCOPE.--

31 | (a)1. This section applies to a health benefit plan that
 32 | provides coverage to employees of a small employer in this
 33 | state, unless the coverage policy is marketed directly to the
 34 | individual employee, and the employer does not contribute
 35 | directly or indirectly to participate in the collection or
 36 | distribution of premiums or facilitate the administration of the
 37 | coverage policy in any manner. For the purposes of this
 38 | subparagraph, an employer shall not be deemed to be contributing
 39 | to the premiums or facilitating the administration of coverage
 40 | if the employer does not contribute towards the premium and
 41 | merely collects the premiums for such coverage from an
 42 | employee's wages or salary through payroll deduction and submits
 43 | payment for the premiums of one or more employees in a lump sum
 44 | to a carrier.

45 | 2. A carrier authorized to issue group or individual
 46 | health benefit plans under chapter 627 or chapter 641 may offer
 47 | coverage as described in this subparagraph to individual
 48 | employees without being subject to this section if the employer
 49 | has not had a group health benefit plan in place in the prior 6
 50 | months. A carrier authorized to issue group or individual health
 51 | benefit plans under chapter 627 or chapter 641 may offer
 52 | coverage as described in this subparagraph to employees that are
 53 | not eligible employees as defined in this section, whether or
 54 | not the small employer has a group health benefit plan in place.
 55 | A carrier that offers coverage as described in this subparagraph
 56 | must provide a cancellation notice to the primary insured at

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57 | least 10 days prior to canceling the coverage for nonpayment of
58 | premium.

59 | Section 3. This act shall take effect July 1, 2005.