

By Senator Miller

18-489-06

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A bill to be entitled

An act relating to health maintenance contracts; amending s. 641.31, F.S.; requiring a subscriber's primary physician to refer the subscriber to a facility's skilled nursing unit under certain conditions; authorizing the subscriber to use a grievance process if his or her request for a referral is denied; providing an effective date.

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

Section 1. Subsection (25) of section 641.31, Florida Statutes, is amended to read:

641.31 Health maintenance contracts.--

(25) If a subscriber is a resident of a continuing care facility certified under chapter 651 or a retirement facility consisting of a nursing home and residential apartments, the subscriber's primary care physician must refer the subscriber to that facility's skilled nursing unit or assisted living facility if requested by the subscriber and agreed to by the facility ~~if the primary care physician finds that it is in the best interest of the patient to do so;~~ if the facility agrees to be reimbursed at the health maintenance organization's contract rate negotiated with similar providers for the same services and supplies or consistent with Medicare reimbursement rates; and if the facility meets all guidelines established by the health maintenance organization related to quality of care, utilization, referral authorization, risk assumption, use of the health maintenance organization's network, and other criteria applicable to providers under

1 contract for the same services and supplies. If the
2 subscriber's request for a referral to the facility's skilled
3 nursing unit or assisted living facility is denied, the
4 subscriber may use the grievance process provided in s.
5 641.511.

6 Section 2. This act shall take effect upon becoming a
7 law.

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10 SENATE SUMMARY

11 Requires a subscriber's primary physician to refer the
12 subscriber to a facility's skilled nursing unit under
13 certain conditions. Authorizes the subscriber to use a
14 grievance process if his or her request for a referral is
15 denied.

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