

1 A bill to be entitled
 2 An act relating to health maintenance contracts; amending
 3 s. 641.31, F.S.; requiring a health maintenance
 4 organization to provide in writing a disclosure of rights
 5 to new subscribers who reside at a continuing care
 6 facility or retirement facility; providing that if a
 7 subscriber's request to be referred to the skilled nursing
 8 unit or assisted living facility that is part of the
 9 subscriber's place of residence is not honored, the
 10 subscriber may use a specified grievance process;
 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. Subsection (25) of section 641.31, Florida
 16 Statutes, is amended to read:

17 641.31 Health maintenance contracts.--
 18 (25) If a subscriber is a resident of a continuing care
 19 facility certified under chapter 651 or a retirement facility
 20 consisting of a nursing home or assisted living facility and
 21 residential apartments, the subscriber's primary care physician
 22 must refer the subscriber to that facility's skilled nursing
 23 unit or assisted living facility if requested by the subscriber
 24 and agreed to by the facility if the primary care physician, or
 25 any other physician licensed under chapter 458, chapter 459,
 26 chapter 460, or chapter 461, finds that it is in the best
 27 interest of the patient to do so; if the facility agrees to be
 28 reimbursed at the health maintenance organization's contract

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29 rate negotiated with similar providers for the same services and
30 supplies; and if the facility meets all guidelines established
31 by the health maintenance organization related to quality of
32 care, utilization, referral authorization, risk assumption, use
33 of the health maintenance organization's network, and other
34 criteria applicable to providers under contract for the same
35 services and supplies. If a health maintenance organization
36 enrolls a new subscriber who already resides in a continuing
37 care facility or a retirement facility as described in this
38 subsection, the health maintenance organization must provide in
39 writing a disclosure of the subscriber's rights under this
40 subsection. If a subscriber's request to be referred to the
41 skilled nursing unit or assisted living facility that is part of
42 the subscriber's place of residence is not honored, the
43 subscriber may use the grievance process provided in s. 641.511.

44 Section 2. This act shall take effect July 1, 2007.