

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
 25 finds that such care is medically necessary ~~it is in the best~~
 26 ~~interest of the patient to do so~~; if the facility agrees to be
 27 reimbursed at the health maintenance organization's contract
 28 rate negotiated with similar providers for the same services and

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

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