

1 A bill to be entitled
 2 An act relating to fiscal intermediary services
 3 organizations; amending s. 641.316, F.S.; redefining the
 4 term "fiscal intermediary services organization" for
 5 purposes of provisions governing organizations that manage
 6 the business affairs of health care professionals;
 7 providing an exception from the requirement to obtain a
 8 bond; revising compliance requirements for registration as
 9 a fiscal intermediary services organization; providing an
 10 effective date.

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

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 14 Section 1. Paragraph (b) of subsection (2) and subsections
 15 (4) and (6) of section 641.316, Florida Statutes, are amended to
 16 read:

17 641.316 Fiscal intermediary services.--

18 (2)

19 (b) The term "fiscal intermediary services organization"
 20 means a person or entity that ~~which~~ performs fiduciary or fiscal
 21 intermediary services to health care professionals who contract
 22 with health maintenance organizations other than ~~a fiscal~~
 23 ~~intermediary services organization owned, operated, or~~
 24 ~~controlled by~~ a hospital licensed under chapter 395, an insurer
 25 licensed under chapter 624, a third-party administrator licensed
 26 under chapter 626, a prepaid limited health service organization
 27 licensed under chapter 636, a health maintenance organization
 28 licensed under this chapter, or a physician group practice

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29 ~~practices~~ as defined in s. 456.053(3)(h) which provides services
30 under the scope of licenses of the members of the group
31 practice.

32 (4) A fiscal intermediary services organization, as
33 described in subsection (3), shall secure and maintain a surety
34 bond on file with the office, naming the intermediary as
35 principal. The bond must be obtained from a company authorized
36 to write surety insurance in the state, and the office shall be
37 obligee on behalf of itself and third parties. The penal sum of
38 the bond may not be less than 5 percent of the funds handled by
39 the intermediary in connection with its fiscal and fiduciary
40 services during the prior year or \$250,000, whichever is less.
41 The minimum bond amount must be \$10,000. The condition of the
42 bond must be that the intermediary shall register with the
43 office and shall not misappropriate funds within its control or
44 custody as a fiscal intermediary or fiduciary. The aggregate
45 liability of the surety for any and all breaches of the
46 conditions of the bond may not exceed the penal sum of the bond.
47 The bond must be continuous in form, must be renewed annually by
48 a continuation certificate, and may be terminated by the surety
49 upon its giving 30 days' written notice of termination to the
50 office. This subsection does not apply to a fiscal intermediary
51 services organization that is owned, operated, or controlled by
52 a third-party administrator holding a certificate of authority
53 under part VII of chapter 626.

54 (6) Any fiscal intermediary services organization, other
55 than ~~a fiscal intermediary services organization owned,~~
56 ~~operated, or controlled by~~ a hospital licensed under chapter

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57 395, an insurer licensed under chapter 624, a third-party
58 administrator licensed under chapter 626, a prepaid limited
59 health service organization licensed under chapter 636, a not-
60 for-profit corporation that provides health care services
61 directly to patients through employed, salaried physicians and
62 that is affiliated with an accredited hospital licensed in this
63 state, a health maintenance organization licensed under this
64 chapter, or a physician group practice ~~practices~~ as defined in
65 s. 456.053(3)(h) which provides services under the scope of
66 licenses of the members of the group practice, must register
67 with the office and meet the requirements of this section. In
68 order to register as a fiscal intermediary services
69 organization, the organization must comply with ss.
70 641.21(1)(c), ~~and (d), and (j), and~~ 641.22(6), and 641.27. The
71 fiscal intermediary services organization must also comply with
72 the provisions of ss. 641.3155, 641.3156, and 641.51(4). Should
73 the office determine that the fiscal intermediary services
74 organization does not meet the requirements of this section, the
75 registration shall be denied. If ~~In the event that~~ the
76 registrant fails to maintain compliance with ~~the provisions of~~
77 this section, the office may revoke or suspend the registration.
78 In lieu of revocation or suspension of the registration, the
79 office may levy an administrative penalty in accordance with s.
80 641.25.

81 Section 2. This act shall take effect October 1, 2007.