

By Senator Lynn

7-1340-07

See HB

1                                   A bill to be entitled

2           An act relating to health insurance; creating

3           s. 627.6385, F.S.; prohibiting health insurers

4           from paying insureds for certain life support

5           or air ambulance services benefits assigned to

6           certain entities; providing for continued

7           health insurer liability to certain entities

8           for such benefits under certain circumstances;

9           specifying rights to charge certain rates and

10          demand and receive certain payments; providing

11          an effective date.

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

15           Section 1. Section 627.6385, Florida Statutes, is  
16 created to read:

17           627.6385 Life support or air ambulance services;  
18 insurer payment restrictions.--

19           (1) A health insurer shall not pay benefits to an  
 20 insured for basic or advanced life support services or air  
 21 ambulance services as defined in s. 401.23 rendered by a  
 22 public or private entity when the insured's rights to those  
 23 benefits have been assigned to the provider of such services.  
 24 When any health insurer has notice of such assignment prior to  
 25 payment, any payment to the insured shall not release the  
 26 health insurer from liability to the provider to which the  
 27 benefits have been assigned, and such direct payment to the  
 28 insured shall not be a defense to any action by the provider  
 29 against the health insurer to collect the assigned benefits.

30           (2) Any provider of basic or advanced life support  
 31 services or air ambulance services receiving a direct

1 reimbursement from a health insurer shall retain the right to  
2 charge a reasonable rate for providing such services. The  
3 acceptance of the direct reimbursement shall not constitute a  
4 waiver by the provider to demand and receive from the health  
5 insurer payment based on reasonable rates. The provider also  
6 retains the right to demand and receive payment based on a  
7 reasonable rate from the insured for the portion of the charge  
8 for these services that is subject to a deductible or a  
9 copayment according to the terms of the health insurance  
10 policy.

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