

1 Section 1. Subsection (1) of section 636.202, Florida
2 Statutes, is amended to read:

3 636.202 Definitions.--As used in this part, the term:

4 (1) "Discount medical plan" means a business
5 arrangement or contract in which a person, in exchange for
6 fees, dues, charges, or other consideration, provides access
7 for plan members to providers of medical services and the
8 right to receive medical services from those providers at a
9 discount. The term "discount medical plan" does not include
10 any product regulated under chapter 627, chapter 641, or part
11 I of this chapter or a plan that does not charge the members a
12 periodic charge to use the plan's discount medical card.

13 Section 2. Subsection (2) of section 636.208, Florida
14 Statutes, is amended to read:

15 636.208 Fees; charges; reimbursement.--

16 (2) If the member cancels his or her membership in the
17 discount medical plan organization within the first 30 days
18 after he or she receives the membership card ~~the effective~~
19 ~~date of enrollment in the plan~~, the member shall receive a
20 reimbursement of all periodic charges upon return of the
21 discount card to the discount medical plan organization.

22 Section 3. Subsection (1) of section 636.216, Florida
23 Statutes, is amended to read:

24 636.216 Charge or form filings.--

25 (1) All charges to members must be filed with the
26 office and any charge to members greater than \$30 per month or
27 \$360 per year must be approved by the office before the
28 charges can be used, unless the plan includes physician
29 services provided by a physician licensed under chapter 458 or
30 chapter 459, dental services, vision services, chiropractic
31 services, and podiatric services, but does not include

1 hospital services as described in s. 636.202(4), in which case
2 charges greater than \$60 per month or \$720 per year must be
3 approved by the office before such charges can be used. The
4 discount medical plan organization has the burden of proof
5 that the charges bear a reasonable relation to the benefits
6 received by the member. Charges by discount medical plan
7 organizations to marketers that provide a discount medical
8 plan to members at no charge are not required to be filed with
9 the office.

10 Section 4. Section 636.230, Florida Statutes, is
11 amended to read:

12 636.230 Bundling discount medical plans with other
13 products.--When a marketer or discount medical plan
14 organization sells a discount medical plan together with any
15 insurance ~~other~~ product, the fees for the discount medical
16 plan must be provided in writing to the member if the total
17 monthly charges for the combined product fees exceed the
18 limits of \$30 and \$60 as set forth in s. 636.216(1). The
19 office shall approve bundled plans that include a discount
20 medical plan and an insurance product marketed and sold
21 together and use a unified set of marketing and fulfillment
22 materials only if both plans are in compliance with state law.

23 Section 5. Section 636.244, Florida Statutes, is
24 amended to read:

25 636.244 Unlicensed discount medical plan
26 organizations.--

27 (1) The provisions of ss. 626.901-626.912 apply to the
28 activities of an unlicensed discount medical plan organization
29 as if the unlicensed discount medical plan organization were
30 an unauthorized insurer.

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1 (2) A person may not transact the business of a
2 discount medical plan organization in this state without
3 complying with the applicable provisions of this part.

4 Section 6. Section 636.246, Florida Statutes, is
5 created to read:

6 636.246 Office of Insurance Regulation appointee for
7 reporting illegal discount medical plan.--The office shall
8 appoint an existing employee as the contact person to report
9 potentially unlawful activities of a discount medical plan
10 organization or its marketers, and that person shall maintain
11 information regarding the status of any investigations.

12 Section 7. This act shall take effect July 1, 2007.

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15 SENATE SUMMARY

16 Provides that a member of a discount medical plan who
17 cancels his or her membership within 30 days after
18 receiving the membership card shall receive a
19 reimbursement of all periodic charges upon return of the
20 card. Requires the discount medical plan organization to
21 file certain charges with the Office of Insurance
22 Regulation if the plan meets specified criteria. Provides
23 that the office may approve bundled plans that include a
24 discount medical plan and an insurance product marketed
25 and sold together only if both plans are in compliance
26 with state law. Provides that a person may not transact
27 the business of a discount medical plan organization
28 without complying with applicable statutory provisions.
29 Requires the office to appoint an existing employee as
30 the contact person to report potentially unlawful
31 activities of discount medical plan organizations and to
 maintain information regarding the status of any
 investigations.