

By Senator Saunders

37-691-07

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

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

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17 Section 1. Subsection (25) of section 641.31, Florida
18 Statutes, is amended to read:

19 641.31 Health maintenance contracts.--

20 (25) If a subscriber is a resident of a continuing
21 care facility certified under chapter 651 or a retirement
22 facility consisting of a nursing home or assisted living
23 facility and residential apartments, the subscriber's primary
24 care physician must refer the subscriber to that facility's
25 skilled nursing unit or assisted living facility if requested
26 by the subscriber and agreed to by the facility if the primary
27 ~~care physician finds that it is in the best interest of the~~
28 ~~patient to do so~~; if the facility agrees to be reimbursed at
29 the health maintenance organization's contract rate negotiated
30 with similar providers for the same services and supplies; and
31 if the facility meets all guidelines established by the health

1 maintenance organization related to quality of care,
2 utilization, referral authorization, risk assumption, use of
3 the health maintenance organization's network, and other
4 criteria applicable to providers under contract for the same
5 services and supplies. If a health maintenance organization
6 enrolls a new subscriber who already resides in a continuing
7 care facility or a retirement facility as described in this
8 subsection, the health maintenance organization must provide
9 in writing a disclosure of the subscriber's rights under this
10 subsection. If a subscriber's request to be referred to the
11 skilled nursing unit or assisted living facility that is part
12 of the subscriber's place of residence is not honored, the
13 subscriber may use the grievance process provided in s.
14 641.511.

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

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18 SENATE SUMMARY

19 Requires a health maintenance organization to provide in
20 writing a disclosure of rights to new subscribers who
21 reside at a continuing care facility or retirement
22 facility. Provides a grievance process for a subscriber
23 whose request to be referred to the skilled nursing unit
24 or assisted living facility that is part of the
25 subscriber's place of residence is not honored.
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