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

13
14 Be It Enacted by the Legislature of the State of Florida:
15

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

19 641.316 Fiscal intermediary services.--

20 (2)

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

1 defined in s. 456.053(3)(h) which provides services under the
2 scope of licenses of the members of the group practice.

3 (4) A fiscal intermediary services organization, as
4 described in subsection (3), shall secure and maintain a
5 surety bond on file with the office, naming the intermediary
6 as principal. The bond must be obtained from a company
7 authorized to write surety insurance in the state, and the
8 office shall be obligee on behalf of itself and third parties.
9 The penal sum of the bond may not be less than 5 percent of
10 the funds handled by the intermediary in connection with its
11 fiscal and fiduciary services during the prior year or
12 \$250,000, whichever is less. The minimum bond amount must be
13 \$10,000. The condition of the bond must be that the
14 intermediary shall register with the office and shall not
15 misappropriate funds within its control or custody as a fiscal
16 intermediary or fiduciary. The aggregate liability of the
17 surety for any and all breaches of the conditions of the bond
18 may not exceed the penal sum of the bond. The bond must be
19 continuous in form, must be renewed annually by a continuation
20 certificate, and may be terminated by the surety upon its
21 giving 30 days' written notice of termination to the office.
22 This subsection does not apply to a fiscal intermediary
23 services organization that is owned, operated, or controlled
24 by a third-party administrator holding a certificate of
25 authority under part VII of chapter 626.

26 (6) Any fiscal intermediary services organization,
27 other than ~~a fiscal intermediary services organization owned,~~
28 ~~operated, or controlled by~~ a hospital licensed under chapter
29 395, an insurer licensed under chapter 624, a third-party
30 administrator licensed under chapter 626, a prepaid limited
31 health service organization licensed under chapter 636, a

1 health maintenance organization licensed under this chapter, a
2 not-for-profit corporation that provides health care services
3 directly to patients through employed, salaried physicians and
4 that is affiliated with an accredited hospital licensed in
5 this state, or a physician group practice practices as defined
6 in s. 456.053(3)(h) which provides services under the scope of
7 licenses of the members of the group practice, must register
8 with the office and meet the requirements of this section. In
9 order to register as a fiscal intermediary services
10 organization, the organization must comply with ss.
11 641.21(1)(c), and (d), and (j), and 641.22(6), and 641.27. The
12 fiscal intermediary services organization must also comply
13 with the provisions of ss. 641.3155, 641.3156, and 641.51(4).
14 Should the office determine that the fiscal intermediary
15 services organization does not meet the requirements of this
16 section, the registration shall be denied. ~~If in the event~~
17 ~~that~~ the registrant fails to maintain compliance with ~~the~~
18 ~~provisions of~~ this section, the office may revoke or suspend
19 the registration. In lieu of revocation or suspension of the
20 registration, the office may levy an administrative penalty in
21 accordance with s. 641.25.

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