

By Senator Gaetz

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1 A bill to be entitled
 2 An act relating to health insurance; amending s.
 3 627.638, F.S.; requiring that an insurer make payment
 4 to the designated provider of services whenever an
 5 insured, using any health insurance claim form,
 6 specifically authorizes payment of benefits directly
 7 to any recognized hospital, licensed ambulance
 8 provider, physician, dentist, or other person who
 9 provided the services in accordance with the
 10 provisions of the policy; deleting an exception;
 11 providing that the insurance contract may not prohibit
 12 payment of benefits directly to such providers;
 13 requiring that claims forms provide an option for such
 14 payment; providing an effective date.

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

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 18 Section 1. Subsection (2) of section 627.638, Florida
 19 Statutes, is amended to read:

20 627.638 Direct payment for hospital, medical services.—

21 (2) Whenever, in any health insurance claim form, an
 22 insured specifically authorizes payment of benefits directly to
 23 any recognized hospital, licensed ambulance provider, physician,
 24 ~~or dentist,~~ or other person who provided the services in
 25 accordance with the provisions of the policy, the insurer shall
 26 make such payment to the designated provider of such services,
 27 ~~unless otherwise provided in the insurance contract.~~ The
 28 insurance contract may not prohibit, and claims forms must
 29 provide an option for, the payment of benefits directly to a

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30 licensed hospital, licensed ambulance provider, physician, or
31 dentist for care provided ~~pursuant to s. 395.1041 or part III of~~
32 ~~chapter 401~~. The insurer may require written attestation of
33 assignment of benefits. Payment to the provider from the insurer
34 may not be more than the amount that the insurer would otherwise
35 have paid without the assignment.

36 Section 2. This act shall take effect July 1, 2009.