

1                   A bill to be entitled  
 2           An act relating to direct payment of benefits; amending s.  
 3           627.638, F.S.; revising provisions for direct payment by  
 4           insurers to designated providers of services authorized by  
 5           an insured;; providing an effective date.

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

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

11           627.638 Direct payment for hospital, medical services.--

12           (2) Whenever, in any health insurance claim form, an  
 13 insured specifically authorizes payment of benefits directly to  
 14 any recognized hospital, licensed ambulance provider, physician,  
 15 ~~or dentist,~~ or other person who provided the services in  
 16 accordance with the provisions of the policy, the insurer shall  
 17 make such payment to the designated provider of such services,  
 18 ~~unless otherwise provided in the insurance contract.~~ The  
 19 insurance contract may not prohibit, and claims forms must  
 20 provide an option for, the payment of benefits directly to a  
 21 licensed hospital, licensed ambulance provider, physician, or  
 22 dentist for care provided ~~pursuant to s. 395.1041 or part III of~~  
 23 ~~chapter 401.~~ The insurer may require written attestation of  
 24 assignment of benefits. Payment to the provider from the insurer  
 25 may not be more than the amount that the insurer would otherwise  
 26 have paid without the assignment.

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