

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Gaetz offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 262 and 263, insert:

5 Section 1. Subsection (3) is added to section 626.9541,
6 Florida Statutes, to read:

7 626.9541 Unfair methods of competition and unfair or
8 deceptive acts or practices defined.-

9 (3) WELLNESS PROGRAMS.-An insurer issuing a group or
10 individual health benefit plan may offer a voluntary wellness or
11 health-improvement program that allows for rewards or
12 incentives, including, but not limited to, merchandise, gift
13 cards, debit cards, premium discounts or rebates, contributions
14 towards a member's health savings account, modifications to
15 copayment, deductible, or coinsurance amounts, or any
16 combination of these incentives, to encourage or reward

079407

Approved For Filing: 4/26/2010 7:56:27 AM

Amendment No.

17 participation in the program. The health plan member may be
 18 required to provide verification, such as a statement from his
 19 or her physician, that a medical condition makes it unreasonably
 20 difficult or medically inadvisable for the individual to
 21 participate in the wellness program. Any reward or incentive
 22 established under this subsection is not an insurance benefit
 23 and does not violate this section. This subsection does not
 24 prohibit an insurer from offering incentives or rewards to
 25 members for adherence to wellness or health improvement programs
 26 if otherwise allowed by state or federal law. Notwithstanding
 27 any provision of this subsection, no insurer, nor its agent, may
 28 use any incentive authorized by this subsection for the purpose
 29 of redirecting patients from one health care insurance plan to
 30 another.

31

32

33

34

T I T L E A M E N D M E N T

35

Remove line 2 and insert:

36

An act relating to health care; amending s. 626.9541, F.S.;

37

authorizing certain insurers to offer voluntary wellness or

38

health improvement programs; providing requirements; providing

39

limitations; specifying such programs as not unfair methods of

40

competition or unfair or deceptive acts or practices; amending

41

s. 112.0455,