

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Flores offered the following:

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

4 Between lines 2194 and 2195, insert:

5 Section 46. 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; alternative rates of  
9 payment; wellness programs.-

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

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

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34 -----  
35 **T I T L E A M E N D M E N T**

36 Remove line 217 and insert:

37 and Drug Administration; amending s. 626.9541, F.S.;

38 authorizing an insurer offering a group or individual

39 health benefit plan to offer a wellness program;

40 authorizing rewards or incentives; providing that such

41 rewards or incentives are not insurance benefits;

42 providing for verification of a member's inability to

43 participate for medical reasons; providing an effective

44 date.

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