

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Tobia offered the following:

Amendment (with title amendment)

Between lines 12 and 13, insert:

Section 1. Section 627.6474, Florida Statutes, is amended to read:

627.6474 Provider contracts.—

(1) A health insurer may ~~shall~~ not require a contracted health care practitioner as defined in s. 456.001(4) to accept the terms of other health care practitioner contracts with the insurer or any other insurer, or health maintenance organization, under common management and control with the insurer, including Medicare and Medicaid practitioner contracts and those authorized by s. 627.6471, s. 627.6472, s. 636.035, or s. 641.315, except for a practitioner in a group practice as defined in s. 456.053 who must accept the terms of a contract

780181

Approved For Filing: 4/23/2010 11:35:47 AM

Amendment No.

17 negotiated for the practitioner by the group, as a condition of
18 continuation or renewal of the contract. Any contract provision
19 that violates this section is void. A violation of this section
20 is not subject to the criminal penalty specified in s. 624.15.

21 (2) A contract between a health insurer and a dentist
22 licensed under chapter 466 for the provision of services to
23 patients may not contain any provision that requires the dentist
24 to provide services to the insured under such contract at a fee
25 set by the health insurer unless such services are covered
26 services under the applicable contract. As used in this
27 subsection, the term "covered services" means services
28 reimbursable under the applicable contract, subject to such
29 contractual limitations on benefits, such as deductibles,
30 coinsurance and copayments, as may apply. This subsection
31 applies to all contracts entered into or renewed on or after
32 July 1, 2010.

33 Section 2. Subsection (13) is added to section 636.035,
34 Florida Statutes, to read:

35 636.035 Provider arrangements.-

36 (13) A contract between a prepaid limited health service
37 organization and a dentist licensed under chapter 466 for the
38 provision of services to subscribers of the prepaid limited
39 health service organization may not contain any provision that
40 requires the dentist to provide services to subscribers of the
41 prepaid limited health service organization at a fee set by the
42 prepaid limited health service organization unless such services
43 are covered services under the applicable contract. As used in
44 this subsection, the term "covered services" means services

780181

Approved For Filing: 4/23/2010 11:35:47 AM

Amendment No.

45 reimbursable under the applicable contract, subject to such
46 contractual limitations on benefits, such as deductibles,
47 coinsurance and copayments, as may apply. This subsection
48 applies to all contracts entered into or renewed on or after
49 July 1, 2010.

50 Section 3. Subsection (11) is added to section 641.315,
51 Florida Statutes, to read:

52 641.315 Provider contracts.—

53 (11) A contract between a health maintenance organization
54 and a dentist licensed under chapter 466 for the provision of
55 services to subscribers of the health maintenance organization
56 may not contain any provision that requires the dentist to
57 provide services to subscribers of the health maintenance
58 organization at a fee set by the health maintenance organization
59 unless such services are covered services under the applicable
60 contract. As used in this subsection, the term "covered
61 services" means services reimbursable under the applicable
62 contract, subject to such contractual limitations on subscriber
63 benefits, such as deductibles, coinsurance and copayments, as
64 may apply. This subsection applies to all contracts entered into
65 or renewed on or after July 1, 2010.

66
67
68 -----

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

70 Remove line 2 and insert:

71 An act relating to insurance; creating s. 627.4605, F.S.;

72 specifying nonapplication of a required notice to a current
780181

Approved For Filing: 4/23/2010 11:35:47 AM

Amendment No.

73 insurer of a policy replacement under certain circumstances;
74 amending s. 627.464, F.S.; providing a limitation on the resale of
75 certain annuities to third parties; amending s. 627.552, F.S.;
76 prohibiting the creating or permitting of certain classes of
77 employees for group health insurance policy purposes; preserving
78 an employer's authority to require certain plan participation as
79 a condition of employment; amending s. 627.5575, F.S.; revising
80 the limitation on the amount of insurance for spouses of
81 dependent children of employees of members under a group life
82 insurance policy; amending s. 627.6474, F.S.; prohibiting
83 contracts between health insurers and dentists from containing
84 certain fee requirements set by the insurer under certain
85 circumstances; providing a definition; providing application;
86 amending s. 636.035, F.S.; prohibiting contracts between prepaid
87 limited health service organizations and dentists from
88 containing certain fee requirements set by the organization
89 under certain circumstances; providing a definition; providing
90 application; amending s. 641.315, F.S.; prohibiting contracts
91 between health maintenance organizations and dentists from
92 containing certain fee requirements set by the organization
93 under certain circumstances; providing a definition; providing
94 application;

780181

Approved For Filing: 4/23/2010 11:35:47 AM