

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Skidmore offered the following:

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3 **Substitute Amendment to Amendment (018683) (with title**  
4 **amendment)**

5 Between lines 1741 and 1742, insert:

6 Section 18. Subsection (3) is added to section 626.9541,  
7 Florida Statutes, to read:

8 626.9541 Unfair methods of competition and unfair or  
9 deceptive acts or practices defined; alternative rates of  
10 payment; wellness programs.-

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

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

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**T I T L E   A M E N D M E N T**

38 Remove line 102 and insert:  
 39 manufacturer permits; amending s. 626.9541, F.S.;  
 40 authorizing an insurer offering a group or individual  
 41 health benefit plan to offer a wellness program;  
 42 authorizing rewards or incentives; providing that such  
 43 rewards or incentives are not insurance benefits;  
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45 providing for verification of a member's inability to  
46 participate for medical reasons; providing an effective  
47 date.