

1 A bill to be entitled
 2 An act relating to wellness or health improvement
 3 programs; amending s. 626.9541, F.S.; authorizing insurers
 4 to offer rewards or incentives to health benefit plan
 5 members to encourage or reward participation in wellness
 6 or health improvement programs; authorizing insurers to
 7 require plan members not participating in programs to
 8 provide verification that their medical condition warrants
 9 nonparticipation; providing application; providing an
 10 effective date.

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

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 14 Section 1. Subsection (4) is added to section 626.9541,
 15 Florida Statutes, to read:

16 626.9541 Unfair methods of competition and unfair or
 17 deceptive acts or practices defined.—

18 (4) WELLNESS OR HEALTH IMPROVEMENT PROGRAMS.—

19 (a) Authorization to offer rewards or incentives for
 20 participation.—An insurer issuing a group or individual health
 21 benefit plan may offer a voluntary wellness or health
 22 improvement program and may encourage or reward participation in
 23 the program by authorizing rewards or incentives, including, but
 24 not limited to, merchandise, gift cards, debit cards, premium
 25 discounts or rebates, contributions to a member's health savings
 26 account, or modifications to copayment, deductible, or
 27 coinsurance amounts.

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28 (b) Verification of medical condition by nonparticipants.—
29 An insurer may require a health benefit plan member to provide
30 verification, such as an affirming statement from the member's
31 physician, that the member's medical condition makes it
32 unreasonably difficult or inadvisable to participate in the
33 wellness or health improvement program.

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35 A reward or incentive offered under this subsection is not a
36 violation of this section if it is disclosed in the policy or
37 certificate. This subsection does not prohibit insurers from
38 offering other incentives or rewards for adherence to a wellness
39 or health improvement program if otherwise authorized by state
40 or federal law.

41 Section 2. This act shall take effect upon becoming a law.