Amendment No.

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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1   Representative Boyd offered the following:

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3   **Amendment (with title amendment)**

4   Between lines 234 and 235, insert:

5   Section 2. Subsection (6) is added to section 400.991,

6   Florida Statutes, to read:

7   400.991 License requirements; background screenings;

8   prohibitions.—

9   (6) All agency forms for licensure application or

10 exemption from licensure under this part must contain the

11 following statement:

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13   INSURANCE FRAUD NOTICE.—A person who knowingly submits a

14   false, misleading, or fraudulent application or other

15   document when applying for licensure as a health care

16   clinic, seeking an exemption from licensure as a health

17   care clinic, or demonstrating compliance with part X of

18   chapter 400, Florida Statutes, with the intent to use the

19   license, exemption from licensure, or demonstration of

20   compliance to provide services or seek reimbursement under

21   the Florida Motor Vehicle Medical Care Coverage Law commits

22   a fraudulent insurance act, as defined in s. 626.989,

23   Florida Statutes. A person who presents a claim for medical

24   care coverage benefits knowing that the payee knowingly

25   submitted such application or document commits insurance

26   fraud as defined in s. 817.234, Florida Statutes.

27

28   Section 3. Subsection (1) of section 626.989, Florida

29   Statutes, is amended to read:

30   626.989 Investigation by department or Division of

31   Insurance Fraud; compliance; immunity; confidential information;

32   reports to division; division investigator's power of arrest.—

33   (1) For the purposes of this section:—

34   (a) A person commits a "fraudulent insurance act" if the

35   person:

36   1. Knowingly and with intent to defraud presents, causes

37   to be presented, or prepares with knowledge or belief that it

38   will be presented, to or by an insurer, self-insurer, self-

39   insurance fund, servicing corporation, purported insurer,

40   broker, or any agent thereof, any written statement as part of,

41   or in support of, an application for the issuance of, or the

42   rating of, any insurance policy, or a claim for payment or other

43   benefit pursuant to any insurance policy, which the person knows

44   to contain materially false information concerning any fact

45 material thereto or if the person conceals, for the purpose of

46 misleading another, information concerning any fact material

47 thereto.

48   2. Knowingly submits:

49   a. A false, misleading, or fraudulent application or other

50 document when applying for licensure as a health care clinic,

51 seeking an exemption from licensure as a health care clinic, or

52 demonstrating compliance with part X of chapter 400 with an

53 intent to use the license, exemption from licensure, or

54 demonstration of compliance to provide services or seek

55 reimbursement under the Florida Motor Vehicle Medical Care

56 Coverage Law.

57   b. A claim for payment or other benefit pursuant to an

58 insurance policy under the Florida Motor Vehicle Medical Care

59 Coverage Law if the person knows that the payee knowingly

60 submitted a false, misleading, or fraudulent application or

61 other document when applying for licensure as a health care

62 clinic, seeking an exemption from licensure as a health care

63 clinic, or demonstrating compliance with part X of chapter 400.

64 For the purposes of this section,

65   (b) The term "insurer" also includes a any health

66 maintenance organization, and the term "insurance policy" also

67 includes a health maintenance organization subscriber contract.

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

71   Between lines 4 and 5, insert:

Amendment No.

72   amending s. 400.991, F.S.; requiring that an

73   application for licensure or exemption from licensure

74   as a health care clinic include a specified statement

75   regarding insurance fraud; amending s. 626.989, F.S.;

76   providing that knowingly submitting false, misleading,

77   or fraudulent documents relating to licensure as a

78   health care clinic or submitting a claim relating to

79   the Florida Motor Vehicle Medical Care Coverage Law is

80   a fraudulent insurance act under certain conditions;