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LEGISLATIVE ACTION

Senate	.	House
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Appropriations Subcommittee on Health and Human Services (Sobel)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 111 - 143  
and insert:

(2) When reviewing forms filed by health insurers or health maintenance organizations pursuant to s. 627.410 or s. 641.31(3) for compliance with state law, the office shall also review such forms for compliance with PPACA. If the office determines that a form does not comply with PPACA, the office shall notify the insurer or organization of the reason for noncompliance. If the insurer or organization does not demonstrate that such form or its replacement complies with PPACA within 30 days after such



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13 notification, the office shall report such potential violation  
14 to the federal Department of Health and Human Services, except  
15 that the office may elect not to report potential violations it  
16 determines are de minimis. The review of forms by the office  
17 under this subsection does not include review of the rates,  
18 rating practices, or the relationship of benefits to the rate.

19 (3) When performing market conduct examinations or  
20 investigations of health insurers or health maintenance  
21 organizations as authorized under s. 624.307, s. 624.311, or s.  
22 641.3905 for compliance with state law, the office shall include  
23 compliance with PPACA within the scope of such examinations or  
24 investigations. If the office determines that an insurer's or  
25 organization's operations do not comply with PPACA, the office  
26 shall notify the insurer or organization of the reason for such  
27 determination. If the insurer or organization does not  
28 demonstrate compliance with PPACA within 30 days after such  
29 notification, the office shall report such potential violation  
30 to the federal Department of Health and Human Services, except  
31 that the office may elect not to report potential violations it  
32 determines are de minimis.

33 (4) The department's Division of Consumer Services shall  
34 respond to complaints by consumers relating to a requirement of  
35 PPACA as authorized under s. 20.121(2)(h), and shall report  
36 apparent or potential violations to the office and to the  
37 federal Department of Health and Human Services.

38 (5) A determination made by the office or department  
39 pursuant to this section regarding compliance with PPACA does  
40 not constitute a determination that affects the substantial  
41 interests of any party for purposes of chapter 120.



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42           (6) The office and department shall maintain on their  
43 respective websites an updated list of all potential or apparent  
44 violations of PPACA reported to the federal Department of Health  
45 and Human Services pursuant to this section.

46  
47 ===== T I T L E   A M E N D M E N T =====

48 And the title is amended as follows:

49           Delete lines 7 - 18

50 and insert:

51           requiring the Office of Insurance Regulation to review  
52 forms and perform market conduct examinations for  
53 compliance with PPACA and to report potential  
54 violations to the federal Department of Health and  
55 Human Services; requiring the Division of Consumer  
56 Services of the Department of Financial Services to  
57 respond to complaints related to PPACA and to report  
58 violations to the office and the Department of Health  
59 and Human Services; providing that certain  
60 determinations by the office or the Department of  
61 Financial Services are not subject to certain  
62 challenges under ch. 120, F.S.; requiring the office  
63 and department to maintain a list of reported  
64 violations on their websites; amending ss. 624.34,