

20131844er

1  
2 An act relating to the Florida Health Choices Program;  
3 amending s. 408.910, F.S.; revising eligibility  
4 requirements for the Florida Health Choices Program;  
5 revising the enrollment period for the initial  
6 selection of products and services for individual  
7 participants in the program; providing that the  
8 Florida Insurance Code is not applicable in certain  
9 circumstances; providing an appropriation; providing  
10 an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Paragraphs (a), (b), (e), and (f) of subsection  
15 (4) and paragraph (b) of subsection (7) of section 408.910,  
16 Florida Statutes, are amended, and paragraph (c) is added to  
17 subsection (10) of that section, to read:

18 408.910 Florida Health Choices Program.—

19 (4) ELIGIBILITY AND PARTICIPATION.—Participation in the  
20 program is voluntary and shall be available to employers,  
21 individuals, vendors, and health insurance agents as specified  
22 in this subsection.

23 (a) Employers eligible to enroll in the program include  
24 those employers÷

25 ~~1. Employers~~ that meet criteria established by the  
26 corporation and elect to make their employees eligible through  
27 the program.

28 ~~2. Fiscally constrained counties described in s. 218.67.~~

29 ~~3. Municipalities having populations of fewer than 50,000~~

20131844er

30 ~~residents.~~

31 ~~4. School districts in fiscally constrained counties.~~

32 ~~5. Statutory rural hospitals.~~

33 (b) Individuals eligible to participate in the program  
34 include:

35 1. Individual employees of enrolled employers.

36 2. Other individuals that meet criteria established by the  
37 corporation ~~State employees not eligible for state employee~~  
38 ~~health benefits.~~

39 ~~3. State retirees.~~

40 ~~4. Medicaid participants who opt out.~~

41 (e) Eligible individuals may participate in the program  
42 ~~voluntarily continue participation in the program regardless of~~  
43 ~~subsequent changes in job status or Medicaid eligibility.~~

44 Individuals who join the program may participate by complying  
45 with the procedures established by the corporation. These  
46 procedures must include, but are not limited to:

47 1. Submission of required information.

48 2. Authorization for payroll deduction.

49 3. Compliance with federal tax requirements.

50 4. Arrangements for payment ~~in the event of job changes.~~

51 5. Selection of products and services.

52 (f) Vendors who choose to participate in the program may  
53 enroll by complying with the procedures established by the  
54 corporation. These procedures may include, but are not limited  
55 to:

56 1. Submission of required information, including a complete  
57 description of the coverage, services, provider network, payment  
58 restrictions, and other requirements of each product offered

20131844er

59 through the program.

60 2. Execution of an agreement to comply with requirements  
61 established by the corporation.

62 3. Execution of an agreement that prohibits refusal to sell  
63 any offered ~~non-risk-bearing~~ product or service to a participant  
64 who elects to buy it.

65 4. Establishment of product prices based on applicable  
66 criteria ~~age, gender, and location of the individual~~  
67 ~~participant, which may include medical underwriting.~~

68 5. Arrangements for receiving payment for enrolled  
69 participants.

70 6. Participation in ongoing reporting processes established  
71 by the corporation.

72 7. Compliance with grievance procedures established by the  
73 corporation.

74 (7) THE MARKETPLACE PROCESS.—The program shall provide a  
75 single, centralized market for purchase of health insurance,  
76 health maintenance contracts, and other health products and  
77 services. Purchases may be made by participating individuals  
78 over the Internet or through the services of a participating  
79 health insurance agent. Information about each product and  
80 service available through the program shall be made available  
81 through printed material and an interactive Internet website. A  
82 participant needing personal assistance to select products and  
83 services shall be referred to a participating agent in his or  
84 her area.

85 (b) Initial selection of products and services must be made  
86 by an individual participant within the applicable open  
87 enrollment period ~~60 days after the date the individual's~~

20131844er

88 ~~employer qualified for participation. An individual who fails to~~  
89 ~~enroll in products and services by the end of this period is~~  
90 ~~limited to participation in flexible spending account services~~  
91 ~~until the next annual enrollment period.~~

92 (10) EXEMPTIONS.—

93 (c) Any standard forms, website design, or marketing  
94 communication developed by the corporation and used by the  
95 corporation, or any vendor that meets the requirements of s.  
96 408.910(4)(f) is not subject to the Florida Insurance Code, as  
97 established in s. 624.01.

98 Section 2. For the 2013-2014 fiscal year, the sum of  
99 \$900,000 in nonrecurring general revenue is appropriated to the  
100 Agency for Health Care Administration to fund the general  
101 administration and operations of the Florida Health Choices  
102 Program.

103 Section 3. This act shall take effect July 1, 2013.