

27 licensed under chapter 458, chapter 459, or chapter 464 who
28 provides medical services to patients which are commonly
29 provided without referral from another health care provider.

30 (c) "Primary care service" means the screening,
31 assessment, diagnosis, and treatment of a patient for the
32 purpose of promoting health or detecting and managing disease or
33 injury within the competency and training of the primary care
34 provider.

35 (2) A direct primary care agreement does not constitute
36 insurance and is not subject to this code. The act of entering
37 into a direct primary care agreement does not constitute the
38 business of insurance and such action is not subject to this
39 code.

40 (3) A primary care provider or an agent of a primary care
41 provider is not required to obtain a certificate of authority or
42 license under this code to market, sell, or offer to sell a
43 direct primary care agreement.

44 (4) For purposes of this section, a direct primary care
45 agreement must:

46 (a) Be in writing.

47 (b) Be signed by the primary care provider or an agent of
48 the primary care provider and the patient or the patient's legal
49 representative.

50 (c) Allow a party to terminate the agreement by written
51 notice to the other party after a period specified in the
52 agreement.

HB 7047

2015

53 (d) Describe the scope of primary care services that are
54 covered by the monthly fee.

55 (e) Specify the monthly fee and any fees for primary care
56 services not covered by the monthly fee.

57 (f) Specify the duration of the agreement and any
58 automatic renewal provisions.

59 (g) Offer a refund to the patient of monthly fees paid in
60 advance if the primary care provider ceases to offer primary
61 care services for any reason.

62 (h) State that the agreement is not health insurance.

63 Section 2. This act shall take effect July 1, 2015.