

1 A bill to be entitled
2 An act relating to bundled health care services;
3 amending s. 288.0001, F.S.; requiring an analysis of
4 medical tourism for bundled health care services in
5 the Economic Development Programs Evaluation; amending
6 s. 288.901, F.S.; requiring Enterprise Florida, Inc.,
7 to collaborate with the Department of Economic
8 Opportunity to market this state as a health care
9 destination; amending s. 288.923, F.S.; requiring the
10 Division of Tourism Marketing to include in its 4-year
11 plan a discussion of the promotion of medical tourism
12 for bundled health care services; creating s. 288.924,
13 F.S.; requiring the plan to promote national and
14 international awareness of the qualifications, scope
15 of services, and specialized expertise of health care
16 providers in this state, to promote national and
17 international awareness of certain business
18 opportunities to attract practitioners to destinations
19 in this state, and to include an initiative to
20 showcase qualified health care providers; creating s.
21 624.27, F.S.; providing definitions; specifying that a
22 direct primary care agreement does not constitute
23 insurance and is not subject to the Florida Insurance
24 Code; specifying that entering into a direct primary
25 care agreement does not constitute the business of
26 insurance and is not subject to the code; providing

27 that a certificate of authority is not required to
 28 market, sell, or offer to sell a direct primary care
 29 agreement; specifying criteria for a direct primary
 30 care agreement; providing an effective date.

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

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 34 Section 1. Paragraph (b) of subsection (2) of section
 35 288.0001, Florida Statutes, is amended to read:

36 288.0001 Economic Development Programs Evaluation.—The
 37 Office of Economic and Demographic Research and the Office of
 38 Program Policy Analysis and Government Accountability (OPPAGA)
 39 shall develop and present to the Governor, the President of the
 40 Senate, the Speaker of the House of Representatives, and the
 41 chairs of the legislative appropriations committees the Economic
 42 Development Programs Evaluation.

43 (2) The Office of Economic and Demographic Research and
 44 OPPAGA shall provide a detailed analysis of economic development
 45 programs as provided in the following schedule:

46 (b) By January 1, 2015, and every 3 years thereafter, an
 47 analysis of the following:

48 1. The entertainment industry financial incentive program
 49 established under s. 288.1254.

50 2. The entertainment industry sales tax exemption program
 51 established under s. 288.1258.

52 3. VISIT Florida and its programs established or funded

53 | under ss. 288.122, 288.1226, 288.12265, ~~and~~ 288.124, and
 54 | 288.924.

55 | 4. The Florida Sports Foundation and related programs
 56 | established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
 57 | 288.1168, 288.1169, and 288.1171.

58 | Section 2. Subsection (2) of section 288.901, Florida
 59 | Statutes, is amended to read:

60 | 288.901 Enterprise Florida, Inc.—

61 | (2) PURPOSES.—Enterprise Florida, Inc., shall act as the
 62 | economic development organization for the state, using ~~utilizing~~
 63 | private sector and public sector expertise in collaboration with
 64 | the department to:

65 | (a) Increase private investment in Florida;

66 | (b) Advance international and domestic trade
 67 | opportunities;

68 | (c) Market the state both as a probusiness location for
 69 | new investment and as an unparalleled tourist destination;

70 | (d) Revitalize Florida's space and aerospace industries,
 71 | and promote emerging complementary industries;

72 | (e) Promote opportunities for minority-owned businesses;

73 | (f) Assist and market professional and amateur sport teams
 74 | and sporting events in Florida; ~~and~~

75 | (g) Assist, promote, and enhance economic opportunities in
 76 | this state's rural and urban communities; and

77 | (h) Market the state as a health care destination by using
 78 | the medical tourism initiatives as described in s. 288.924 to

79 promote quality bundled health care services in this state.

80 Section 3. Paragraph (c) of subsection (4) of section
81 288.923, Florida Statutes, is amended to read:

82 288.923 Division of Tourism Marketing; definitions;
83 responsibilities.—

84 (4) The division's responsibilities and duties include,
85 but are not limited to:

86 (c) Developing a 4-year marketing plan.

87 1. At a minimum, the marketing plan shall discuss the
88 following:

89 a. Continuation of overall tourism growth in this state.

90 b. Expansion to new or under-represented tourist markets.

91 c. Maintenance of traditional and loyal tourist markets.

92 d. Coordination of efforts with county destination
93 marketing organizations, other local government marketing
94 groups, privately owned attractions and destinations, and other
95 private sector partners to create a seamless, four-season
96 advertising campaign for the state and its regions.

97 e. Development of innovative techniques or promotions to
98 build repeat visitation by targeted segments of the tourist
99 population.

100 f. Consideration of innovative sources of state funding
101 for tourism marketing.

102 g. Promotion of nature-based tourism and heritage tourism.

103 h. Promotion of medical tourism for bundled health care
104 services, as provided under s. 288.924.

105 ~~i.h.~~ Development of a component to address emergency
 106 response to natural and manmade disasters from a marketing
 107 standpoint.

108 2. The plan shall be annual in construction and ongoing in
 109 nature. Any annual revisions of the plan shall carry forward the
 110 concepts of the remaining 3-year portion of the plan and
 111 consider a continuum portion to preserve the 4-year timeframe of
 112 the plan. The plan also shall include recommendations for
 113 specific performance standards and measurable outcomes for the
 114 division and direct-support organization. The department, in
 115 consultation with the board of directors of Enterprise Florida,
 116 Inc., shall base the actual performance metrics on these
 117 recommendations.

118 3. The 4-year marketing plan shall be developed in
 119 collaboration with the Florida Tourism Industry Marketing
 120 Corporation. The plan shall be annually reviewed and approved by
 121 the board of directors of Enterprise Florida, Inc.

122 Section 4. Section 288.924, Florida Statutes, is created
 123 to read:

124 288.924 Medical tourism marketing plan for bundled health
 125 care services.—The Division of Tourism Marketing shall include
 126 within the 4-year marketing plan required under s. 288.923(4)
 127 specific initiatives to advance this state as a destination for
 128 quality bundled health care services. The plan must:

129 (1) Promote national and international awareness of the
 130 qualifications, scope of services, and specialized expertise of

131 health care providers throughout this state;

132 (2) Promote national and international awareness of
133 medical-related conferences, training, or business opportunities
134 to attract practitioners from the medical field to destinations
135 in this state; and

136 (3) Include an initiative that showcases selected,
137 qualified providers offering bundled packages of health care and
138 support services. The selection of providers to be showcased
139 must be conducted through a solicitation of proposals from
140 Florida hospitals and other licensed providers for plans that
141 describe available services, provider qualifications, and
142 special arrangements for food, lodging, transportation, or other
143 support services and amenities that may be provided to visiting
144 patients and their families. A single health care provider may
145 submit a proposal describing the available health care services
146 that will be offered and explaining any support services or
147 other amenities associated with the care. The Florida Tourism
148 Industry Marketing Corporation shall assess the qualifications
149 and credentials of providers submitting proposals. To be
150 qualified, a health care provider must:

151 (a) Have a full, active, and unencumbered Florida license
152 and ensure that all health care providers participating in the
153 proposal have full, active, and unencumbered Florida licenses;

154 (b) Have a current accreditation that is not conditional
155 or provisional from a nationally recognized accrediting body;

156 (c) Be a recipient of the Cancer Center of Excellence

157 Award, as provided in s. 381.925, within the recognized 3-year
 158 period of the award, or have a current national or international
 159 recognition in another specialty area if the recognition is
 160 given through a specific qualifying process; or

161 (d) Meet other criteria as determined by the Florida
 162 Tourism Industry Marketing Corporation in collaboration with the
 163 Agency for Health Care Administration and the Department of
 164 Health.

165 Section 5. Section 624.27, Florida Statutes, is created to
 166 read:

167 624.27 Application of code as to direct primary care
 168 agreements.-

169 (1) As used in this section, the term:

170 (a) "Direct primary care agreement" means a contract
 171 between a primary care provider and a patient, the patient's
 172 legal representative, or an employer, which meets the criteria
 173 in subsection (4) and does not indemnify for services provided
 174 by a third party.

175 (b) "Primary care provider" means a health care provider
 176 licensed under chapter 458, chapter 459, or chapter 464, or a
 177 primary care group practice, that provides medical services to
 178 patients which are commonly provided without referral from
 179 another health care provider.

180 (c) "Primary care service" means the screening,
 181 assessment, diagnosis, and treatment of a patient for the
 182 purpose of promoting health or detecting and managing disease or

183 injury within the competency and training of the primary care
184 provider.

185 (2) A direct primary care agreement does not constitute
186 insurance and is not subject to this code. The act of entering
187 into a direct primary care agreement does not constitute the
188 business of insurance and is not subject to this code.

189 (3) A primary care provider or an agent of a primary care
190 provider is not required to obtain a certificate of authority or
191 license under this code to market, sell, or offer to sell a
192 direct primary care agreement.

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

195 (a) Be in writing.

196 (b) Be signed by the primary care provider or an agent of
197 the primary care provider and the patient, the patient's legal
198 representative, or an employer.

199 (c) Allow a party to terminate the agreement by written
200 notice to the other party after a period specified in the
201 agreement.

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

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

206 (f) Specify the duration of the agreement and any
207 automatic renewal provisions.

208 (g) Offer a refund to the patient of monthly fees paid in

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209 advance if the primary care provider ceases to offer primary
210 care services for any reason.

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

212 Section 6. This act shall take effect July 1, 2015.