

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Health Innovation  
2 Subcommittee  
3 Representative Peters offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (3) is added to section 627.6474,  
Florida Statutes, to read:

627.6474 Provider contracts.-

(3) (a) A contract between a health insurer or the  
insurer's third party administrator and:

1. An ophthalmologist licensed pursuant to chapter 458 or  
chapter 459 or an optometrist licensed pursuant to chapter 463  
may not require such licensee to:

a. Provide vision care services as a condition of  
participating as a provider of any other type of service to an  
insured; or

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18 b. Purchase a material or service used by the licensee  
19 from an entity in which the insurer or the insurer's third-party  
20 administrator has a direct or indirect ownership, financial, or  
21 controlling interest.

22 2. An optician licensed pursuant to part I of chapter 484  
23 may not require such licensee to purchase a material used by the  
24 licensee from an entity in which the insurer or the insurer's  
25 administrator has a direct or indirect ownership, financial, or  
26 controlling interest.

27 (b) A violation of this subsection constitutes:

28 1. An unfair insurance trade practice under s.  
29 626.9541(1)(d); and

30 2. An unfair or deceptive act or practice under the Florida  
31 Deceptive and Unfair Trade Practices Act, and the violator may  
32 be subject to civil and administrative action by an enforcing  
33 authority under part II of chapter 501.

34 (c) This subsection applies to all contracts entered into  
35 or renewed on or after July 1, 2015.

36 Section 2. Subsection (14) is added to section 636.035,  
37 Florida Statutes, to read:

38 636.035 Provider arrangements.-

39 (14) (a) A contract between a prepaid limited health  
40 service organization or the organization's third party  
41 administrator and:

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42 1. An ophthalmologist licensed pursuant to chapter 458 or  
43 chapter 459 or an optometrist licensed pursuant to chapter 463  
44 may not require such licensee to:

45 a. Provide vision care services as a condition of  
46 participating as a provider of any other type of service to a  
47 subscriber; or

48 b. Purchase a material or service used by the licensee  
49 from an entity in which the organization or the organization's  
50 third-party administrator has a direct or indirect ownership,  
51 financial, or controlling interest.

52 2. An optician licensed pursuant to part I of chapter 484  
53 may not require such licensee to purchase a material used by the  
54 licensee from an entity in which the organization or the  
55 organization's administrator has a direct or indirect ownership,  
56 financial, or controlling interest.

57 (b) A violation of this subsection constitutes:

58 1. An unfair insurance trade practice under s.  
59 626.9541(1)(d); and

60 2. An unfair or deceptive act or practice under the Florida  
61 Deceptive and Unfair Trade Practices Act, and the violator may  
62 be subject to civil and administrative action by an enforcing  
63 authority under part II of chapter 501.

64 (c) This subsection applies to all contracts entered into  
65 or renewed on or after July 1, 2015.

66 Section 3. Subsection (12) is added to section 641.315,  
67 Florida Statutes, to read:

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68 641.315 Provider contracts.-

69 (14) (a) A contract between a health maintenance  
70 organization or the organization's third party administrator  
71 and:

72 1. An ophthalmologist licensed pursuant to chapter 458 or  
73 chapter 459 or an optometrist licensed pursuant to chapter 463  
74 may not require such licensee to:

75 a. Provide vision care services as a condition of  
76 participating as a provider of any other type of service to a  
77 subscriber; or

78 b. Purchase a material or service used by the licensee  
79 from an entity in which the organization or the organization's  
80 third-party administrator has a direct or indirect ownership,  
81 financial, or controlling interest.

82 2. An optician licensed pursuant to part I of chapter 484  
83 may not require such licensee to purchase a material used by the  
84 licensee from an entity in which the organization or the  
85 organization's administrator has a direct or indirect ownership,  
86 financial, or controlling interest.

87 (b) A violation of this subsection constitutes:

88 1. An unfair insurance trade practice under s.  
89 626.9541(1)(d); and

90 2. An unfair or deceptive act or practice under the Florida  
91 Deceptive and Unfair Trade Practices Act, and the violator may  
92 be subject to civil and administrative action by an enforcing  
93 authority under part II of chapter 501.

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94        (c) This subsection applies to all contracts entered into  
95 or renewed on or after July 1, 2015.

96            Section 4. This act shall take effect July 1, 2015.  
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99                            **T I T L E   A M E N D M E N T**

100            Remove everything before the enacting clause and insert:

101    An act relating to health provider contracts; amending ss.  
102    627.6474, 636.035, and 641.315, F.S.; providing that a contract  
103    between a health insurer, a prepaid limited health service  
104    organization, or a health maintenance organization,  
105    respectively, or a third-party administrator thereof, and a  
106    licensed ophthalmologist or optometrist may not require the  
107    licensee to provide vision care services as a condition of  
108    providing any other service or to purchase certain materials or  
109    services from specified entities; providing that a contract  
110    between a health insurer, a prepaid limited health service  
111    organization, or a health maintenance organization,  
112    respectively, or a third-party administrator thereof, or a  
113    licensed optician may not require the licensee to purchase  
114    certain materials from specified entities; providing that a  
115    violation of the act's prohibitions constitutes a specified  
116    unfair insurance trade practice and a violation of the Florida  
117    Deceptive and Unfair Trade Practices Act; providing an effective  
118    date.; providing applicability; providing an effective date.