

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to federal waivers for health
3 insurance; amending s. 624.25, F.S.; prohibiting
4 public entities, unless specifically authorized by the
5 Legislature, from applying for a waiver under the
6 federal Patient Protection and Affordable Care Act
7 which would waive requirements for, or authorize the
8 exclusion or limitation of, coverage of any essential
9 health benefit by nongrandfathered health plans;
10 defining terms; providing an effective date.

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

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14 Section 1. Section 624.25, Florida Statutes, is amended to
15 read:

16 624.25 Patient Protection and Affordable Care Act.—

17 (1) A provision of the Florida Insurance Code, or rule
18 adopted pursuant to the code, applies unless such provision or
19 rule prevents the application of a provision of PPACA. As used
20 in this section, the term "PPACA" has the same meaning as
21 provided in s. 627.402.

22 (2) Unless specifically authorized by the Legislature, a
23 public entity may not apply for a waiver under PPACA, including,
24 but not limited to, a State Innovation Waiver pursuant to 42
25 U.S.C. s. 18052, which would waive any requirement for a
26 nongrandfathered health plan in this state to provide coverage
27 for any essential health benefit or which would authorize the
28 nongrandfathered health plan to exclude or limit coverage for
29 any essential health benefit. As used in this subsection, the

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30 term:

31 (a) "Essential health benefit" means any benefit described
32 in 42 U.S.C. s. 18022 or in any rule promulgated thereunder.

33 (b) "Nongrandfathered health plan" has the same meaning as
34 in s. 627.402.

35 (c) "Public entity" means this state and any department or
36 agency of this state.

37 Section 2. This act shall take effect upon becoming a law.