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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/23/2019	.	
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The Committee on Rules (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete lines 59 - 139

and insert:

Section 2. Section 627.6045, Florida Statutes, is repealed.

Section 3. Subsection (1) of section 627.6425, Florida Statutes, is amended to read:

627.6425 Renewability of individual coverage.—

(1) Except as otherwise provided in this section, an insurer that provides individual health insurance coverage to an individual shall renew or continue in force such coverage at the



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12 option of the individual. For the purpose of this section, the
13 term "individual health insurance" means health insurance
14 coverage, as described in s. 624.603, offered to an individual
15 in this state, including certificates of coverage offered to
16 individuals in this state as part of a group policy issued to an
17 association outside this state, but the term does not include
18 ~~short-term limited duration insurance or~~ excepted benefits
19 specified in s. 627.6513(1)-(14).

20 Section 4. Section 627.6426, Florida Statutes, is created
21 to read:

22 627.6426 Short-term health insurance.-

23 (1) For purposes of this part, the term "short-term health
24 insurance" means health insurance coverage provided by an issuer
25 with an expiration date specified in the contract which is less
26 than 12 months after the original effective date of the contract
27 and, taking into account renewals or extensions, has a duration
28 not to exceed 36 months in total.

29 (2) All contracts for short-term health insurance entered
30 into by an issuer and an individual seeking coverage:

31 (a) Must include the following disclosure:

32
33 "This coverage is not required to comply with certain federal
34 market requirements for health insurance, including some
35 requirements contained in the Patient Protection and Affordable
36 Care Act. Your policy might also have lifetime and/or annual
37 dollar limits on health benefits. If this coverage expires or
38 you lose eligibility for this coverage, you might have to wait
39 until an open enrollment period to get other health insurance
40 coverage."



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41 (b) May not exclude, limit, deny, or delay coverage due to
42 a preexisting condition. As used in this paragraph, the term
43 "preexisting condition" means a condition that was present
44 before the effective date of coverage under a contract, whether
45 or not any medical advice, diagnosis, care, or treatment was
46 recommended or received before the effective date of coverage.
47 The term includes a condition identified as a result of a
48 preenrollment questionnaire or physical examination given to the
49 individual, or review of medical records relating to the
50 preenrollment period.

51 Section 5. Section 627.6525, Florida Statutes, is created
52 to read:

53 627.6525 Short-term health insurance.-

54 (1) For purposes of this part, the term "short-term health
55 insurance" means a group, blanket, or franchise policy of health
56 insurance coverage provided by an issuer with an expiration date
57 specified in the contract which is less than 12 months after the
58 original effective date of the contract and, taking into account
59 renewals or extensions, has a duration not to exceed 36 months
60 in total.

61 (2) All contracts for short-term health insurance entered
62 into by an issuer and a party seeking coverage:

63 (a) Must include the following disclosure:

64
65 "This coverage is not required to comply with certain federal
66 market requirements for health insurance, including some
67 requirements contained in the Patient Protection and Affordable
68 Care Act. Your policy might also have lifetime and/or annual
69 dollar limits on health benefits. If this coverage expires or



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70 you lose eligibility for this coverage, you might have to wait
71 until an open enrollment period to get other health insurance
72 coverage."

73 (b) May not exclude, limit, deny, or delay coverage due to
74 a preexisting condition. As used in this paragraph, the term
75 "preexisting condition" means a condition that was present
76 before the effective date of coverage under a contract, whether
77 or not any medical advice, diagnosis, care, or treatment was
78 recommended or received before the effective date of coverage.
79 The term includes a condition identified as a result of a
80 preenrollment questionnaire or physical examination given to the
81 individual, or review of medical records relating to the
82 preenrollment period.

83 Section 6. Section 627.6046, Florida Statutes, is created
84 to read:

85 627.6046 Preexisting conditions coverage.-

86 (1) As used in this section, the term "preexisting
87 condition" means a condition that was present before the
88 effective date of coverage under an individual health insurance
89 policy, whether or not any medical advice, diagnosis, care, or
90 treatment was recommended or received before the effective date
91 of coverage. The term includes a condition identified as a
92 result of a preenrollment questionnaire or physical examination
93 given to the individual, or review of medical records relating
94 to the preenrollment period.

95 (2) A nongrandfathered individual health insurance policy
96 issued or delivered in this state may not exclude, limit, deny,
97 or delay coverage due to a preexisting condition.

98 Section 7. Section 627.65612, Florida Statutes, is created



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99 to read:

100 627.65612 Preexisting conditions coverage.-

101 (1) As used in this section, the term "preexisting
102 condition" means a condition that was present before the
103 effective date of coverage under a group health insurance
104 policy, whether or not any medical advice, diagnosis, care, or
105 treatment was recommended or received before the effective date
106 of coverage. The term includes a condition identified as a
107 result of a preenrollment questionnaire or physical examination
108 given to the individual, or review of medical records relating
109 to the preenrollment period.

110 (2) A group health insurance policy issued or delivered in
111 this state may not exclude, limit, deny, or delay coverage due
112 to a preexisting condition.

113 Section 8. Subsection (45) is added to section 641.31,
114 Florida Statutes, to read:

115 641.31 Health maintenance contracts.-

116 (45) (a) As used in this subsection, the term "preexisting
117 condition" means a condition that was present before the
118 effective date of coverage under a health maintenance contract,
119 whether or not any medical advice, diagnosis, care, or treatment
120 was recommended or received before the effective date of
121 coverage. The term includes a condition identified as a result
122 of a preenrollment questionnaire or physical examination given
123 to the individual, or review of medical records relating to the
124 preenrollment period.

125 (b) A health maintenance contract issued or delivered in
126 this state may not exclude, limit, deny, or delay coverage due
127 to a preexisting condition.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 4 - 14

and insert:

employer welfare arrangements; repealing s. 627.6045, F.S., relating to preexisting conditions; amending s. 627.6425, F.S.; revising the definition of the term "individual health insurance" relating to renewability of individual coverage; creating ss. 627.6426 and 627.6525, F.S.; defining the terms "short-term health insurance" and "preexisting condition"; providing disclosure requirements for short-term individual, group, blanket, and franchise health insurance contracts; prohibiting such contracts from excluding, limiting, denying, or delaying coverage due to preexisting conditions; creating ss. 627.6046 and 627.65612, F.S.; defining the term "preexisting condition"; prohibiting nongrandfathered individual health insurance policies and group health insurance policies, respectively, from excluding, limiting, denying, or delaying coverage due to preexisting conditions; amending s. 641.31, F.S.; defining the term "preexisting condition"; prohibiting health maintenance contracts from excluding, limiting, denying, or delaying coverage due to preexisting conditions; amending s. 627.654, F.S.;