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LEGISLATIVE ACTION

Senate

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House

Floor: NC/2R

04/24/2019 11:43 AM

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Senator Rodriguez moved the following:

**Senate Amendment (with title amendment)**

Delete lines 54 - 134

and insert:

(2) (a) Beginning on the operative date, and notwithstanding s. 627.6045 or any other law to the contrary, every insurer issuing, delivering, or issuing for delivery individual health insurance policies in this state may not exclude, limit, deny, or delay coverage under such policies due to one or more preexisting medical conditions.

(b) An insurer may not limit or exclude benefits under such



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12 policies, including a denial of coverage applicable to an  
13 individual as a result of information relating to an  
14 individual's health status before the individual's effective  
15 date of coverage, or if coverage is denied, the date of the  
16 denial.

17 (3) This section does not apply to an insurer that issues  
18 only limited benefit, disability income, specified disease,  
19 Medicare supplement, or hospital indemnity policies in this  
20 state.

21 Section 2. Section 627.65612, Florida Statutes, is created  
22 to read:

23 627.65612 Limit on preexisting conditions.-

24 (1) As used in this section, the terms "operative date" and  
25 "preexisting medical condition" have the same meanings as  
26 provided in s. 627.6046.

27 (2)(a) Beginning on the operative date, and notwithstanding  
28 s. 627.6561 or any other law to the contrary, every insurer  
29 issuing, delivering, or issuing for delivery group health  
30 insurance policies in this state may not exclude, limit, deny,  
31 or delay coverage under such policies due to one or more  
32 preexisting medical conditions.

33 (b) An insurer may not limit or exclude benefits under such  
34 policies, including a denial of coverage applicable to an  
35 individual as a result of information relating to an  
36 individual's health status before the individual's effective  
37 date of coverage, or if coverage is denied, the date of the  
38 denial.

39 (3) This section does not apply to an insurer issuing only  
40 limited benefit, disability income, specified disease, Medicare



41 supplement, or hospital indemnity policies in this state.

42 Section 3. Subsection (45) is added to section 641.31,  
43 Florida Statutes, to read:

44 641.31 Health maintenance contracts.—

45 (45) (a) As used in this subsection, the terms "operative  
46 date" and "preexisting medical condition" have the same meanings  
47 as provided in s. 627.6046.

48 (b) Beginning on the operative date, and notwithstanding s.  
49 641.31071 or any other law to the contrary, every health  
50 maintenance organization issuing, delivering, or issuing for  
51 delivery individual or group contracts in this state may not  
52 exclude, limit, deny, or delay coverage under such contracts due  
53 to one or more preexisting medical conditions. A health  
54 maintenance organization may not limit or exclude benefits under  
55 such contracts, including a denial of coverage applicable to an  
56 individual as a result of information relating to an  
57 individual's health status before the individual's effective  
58 date of coverage, or if coverage is denied, the date of the  
59 denial.

60  
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete lines 6 - 30

64 and insert:

65 policies, respectively; prohibiting insurers, upon the  
66 occurrence of either of two specified events, from  
67 excluding, limiting, denying, or delaying coverage  
68 under such policies due to preexisting medical  
69 conditions; providing applicability; amending s.



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70 641.31, F.S.; defining the terms "operative date" and  
71 "preexisting medical condition" with respect to health  
72 maintenance contracts; prohibiting health maintenance  
73 organizations, upon the occurrence of either of two  
74 specified events, from excluding, limiting, denying,  
75 or delaying coverage under such contracts due to  
76 preexisting medical conditions; providing an effective  
77 date.