

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN                                    (Y/N)  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

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
2 Subcommittee

3 Representative Fischer offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 497-528 and insert:

7 amount and period of time as the office approves. However, any  
8 amount offset pursuant to s. 631.828 may not be shown as an  
9 asset of the member HMO on any of its financial statements.

10 Section 11. Paragraph (f) of subsection (3) and paragraph  
11 (a) of subsection (4) of section 631.820, Florida Statutes, are  
12 amended to read:

13 631.820 Plan of operation.—

14 (3) The plan of operation shall, in addition to  
15 requirements enumerated elsewhere in this part:

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16 (f) Establish any additional procedures for assessments  
17 under this part, including procedures to coordinate the  
18 administration and collection of member HMO assessments for  
19 long-term care insurer impairments and insolvencies with the  
20 board of directors of the Florida Life and Health Insurance  
21 Guaranty Association.

22 (4) (a) The plan of operation may provide that any or all  
23 powers and duties of the plan, except those under ss.  
24 631.818(7)(b) and (c) and 631.819 ss. 631.818(6)(b) and (c) and  
25 631.819, are delegated to an administrator that ~~which~~ may be a  
26 corporation, association, or other organization that ~~which~~  
27 performs or will perform functions similar to those of this  
28 plan, or its equivalent.

29 Section 12. Subsection (2) of section 631.821, Florida  
30 Statutes, is amended to read:

31 631.821 Powers and duties of the department.—

32 (2) Any action of the board of directors of the plan may  
33 be appealed to the office by any member HMO if such appeal is  
34 taken within 21 days of the action being appealed; however, the  
35 HMO must comply with such action pending exhaustion of appeal  
36 ~~under s. 631.818(2)~~. Any appeal shall be promptly determined by  
37 the office, and final action or order of the office shall be  
38 subject to judicial review in a court of competent jurisdiction.

39 Section 13. The amendments made to sections 631.713,  
40 631.714, 631.717, 631,718, 631.721, 631.818, 631.819, and

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41 631.820, Florida Statutes, by this act apply only to long-term  
42 care assessment obligations assessed as a result of an insurer  
43 being adjudged insolvent by a court of competent jurisdiction or  
44 being determined by the office to be impaired on or after the  
45 effective date of this act.

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48 **T I T L E A M E N D M E N T**

49 Remove lines 42-59 and insert:  
50 insolvencies; conforming a cross-reference; amending  
51 s. 631.816, F.S.; adding duties of the board of  
52 directors of the Florida Health Maintenance  
53 Organization Consumer Assistance Plan to conform to  
54 changes made by the act; amending s. 631.818, F.S.;  
55 adding to the duties of the plan to conform to changes  
56 made by the act; amending s. 631.819, F.S.; specifying  
57 requirements for long-term care insurer impairment and  
58 insolvency assessments for member health maintenance  
59 organizations; requiring the plan to issue  
60 certificates of contribution to member health  
61 maintenance organizations paying certain assessments;  
62 specifying requirements of, and the use of, such  
63 certificates; amending s. 631.820, F.S.; conforming  
64 provisions to changes made by the act; amending s.  
65 631.821, F.S.; making a technical change; providing

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66 applicability of specified provisions to certain long-  
67 term care assessment obligations; providing a