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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2020	.	
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Appropriations Subcommittee on Health and Human Services (Rader) recommended the following:

Senate Amendment to Amendment (441796) (with title amendment)

Delete lines 2314 - 2417

and insert:

subsection (2) and paragraphs (d) and (e) of subsection (3) of section 627.6387, Florida Statutes, are amended to read:

627.6387 Shared savings incentive program.—

(2) As used in this section, the term:

(e) "Shoppable health care service" means a lower-cost,



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11 high-quality nonemergency health care service for which a shared
12 savings incentive is available for insureds under a health
13 insurer's shared savings incentive program. Shoppable health
14 care services may be provided within or outside this state and
15 include, but are not limited to:

- 16 1. Clinical laboratory services.
- 17 2. Infusion therapy.
- 18 3. Inpatient and outpatient surgical procedures.
- 19 4. Obstetrical and gynecological services.
- 20 5. Inpatient and outpatient nonsurgical diagnostic tests
21 and procedures.

- 22 6. Physical and occupational therapy services.
- 23 7. Radiology and imaging services.
- 24 8. Prescription drugs.
- 25 9. Services provided through telehealth.
- 26 10. Any additional services published by the Agency for
27 Health Care Administration that have the most significant price
28 variation pursuant to s. 408.05(3)(1).

29 (3) A health insurer may offer a shared savings incentive
30 program to provide incentives to an insured when the insured
31 obtains a shoppable health care service from the health
32 insurer's shared savings list. An insured may not be required to
33 participate in a shared savings incentive program. A health
34 insurer that offers a shared savings incentive program must:

- 35 (d) Publish on a webpage easily accessible to insureds and
36 to applicants for insurance a list of shoppable health care
37 services and health care providers and the shared savings
38 incentive amount applicable for each service. A shared savings
39 incentive may not be less than 50 ~~25~~ percent of the savings



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40 generated by the insured's participation in any shared savings
41 incentive offered by the health insurer. The baseline for the
42 savings calculation is the average in-network amount paid for
43 that service in the most recent 12-month period or some other
44 methodology established by the health insurer and approved by
45 the office.

46 (e) At least quarterly, credit or deposit the shared
47 savings incentive amount to the insured's account as a return or
48 reduction in premium, ~~or~~ credit the shared savings incentive
49 amount to the insured's flexible spending account, health
50 savings account, or health reimbursement account, or reward the
51 insured directly with cash or a cash equivalent ~~such that the~~
52 ~~amount does not constitute income to the insured.~~

53 Section 52. Effective January 1, 2021, paragraph (e) of
54 subsection (2) and paragraphs (d) and (e) of subsection (3) of
55 section 627.6648, Florida Statutes, are amended to read:

56 627.6648 Shared savings incentive program.-

57 (2) As used in this section, the term:

58 (e) "Shoppable health care service" means a lower-cost,
59 high-quality nonemergency health care service for which a shared
60 savings incentive is available for insureds under a health
61 insurer's shared savings incentive program. Shoppable health
62 care services may be provided within or outside this state and
63 include, but are not limited to:

- 64 1. Clinical laboratory services.
- 65 2. Infusion therapy.
- 66 3. Inpatient and outpatient surgical procedures.
- 67 4. Obstetrical and gynecological services.
- 68 5. Inpatient and outpatient nonsurgical diagnostic tests



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69 and procedures.

70 6. Physical and occupational therapy services.

71 7. Radiology and imaging services.

72 8. Prescription drugs.

73 9. Services provided through telehealth.

74 10. Any additional services published by the Agency for
75 Health Care Administration that have the most significant price
76 variation pursuant to s. 408.05(3)(1).

77 (3) A health insurer may offer a shared savings incentive
78 program to provide incentives to an insured when the insured
79 obtains a shoppable health care service from the health
80 insurer's shared savings list. An insured may not be required to
81 participate in a shared savings incentive program. A health
82 insurer that offers a shared savings incentive program must:

83 (d) Publish on a webpage easily accessible to insureds and
84 to applicants for insurance a list of shoppable health care
85 services and health care providers and the shared savings
86 incentive amount applicable for each service. A shared savings
87 incentive may not be less than 50 ~~25~~ percent of the savings
88 generated by the insured's participation in any shared savings
89 incentive offered by the health insurer. The baseline for the
90 savings calculation is the average in-network amount paid for
91 that service in the most recent 12-month period or some other
92 methodology established by the health insurer and approved by
93 the office.

94 (e) At least quarterly, credit or deposit the shared
95 savings incentive amount to the insured's account as a return or
96 reduction in premium, ~~or~~ credit the shared savings incentive
97 amount to the insured's flexible spending account, health



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98 savings account, or health reimbursement account, or reward the
99 insured directly with cash or a cash equivalent ~~such that the~~
100 ~~amount does not constitute income to the insured.~~

101 Section 53. Effective January 1, 2021, paragraph (e) of
102 subsection (2) and paragraphs (d) and (e) of subsection (3) of
103 section 641.31076, Florida Statutes, are amended to read:

104 641.31076 Shared savings incentive program.—

105 (2) As used in this section, the term:

106 (e) "Shoppable health care service" means a lower-cost,
107 high-quality nonemergency health care service for which a shared
108 savings incentive is available for subscribers under a health
109 maintenance organization's shared savings incentive program.
110 Shoppable health care services may be provided within or outside
111 this state and include, but are not limited to:

- 112 1. Clinical laboratory services.
- 113 2. Infusion therapy.
- 114 3. Inpatient and outpatient surgical procedures.
- 115 4. Obstetrical and gynecological services.
- 116 5. Inpatient and outpatient nonsurgical diagnostic tests
117 and procedures.
- 118 6. Physical and occupational therapy services.
- 119 7. Radiology and imaging services.
- 120 8. Prescription drugs.
- 121 9. Services provided through telehealth.
- 122 10. Any additional services published by the Agency for
123 Health Care Administration that have the most significant price
124 variation pursuant to s. 408.05(3)(1).

125 (3) A health maintenance organization may offer a shared
126 savings incentive program to provide incentives to a subscriber



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127 when the subscriber obtains a shoppable health care service from
128 the health maintenance organization's shared savings list. A
129 subscriber may not be required to participate in a shared
130 savings incentive program. A health maintenance organization
131 that offers a shared savings incentive program must:

132 (d) Publish on a webpage easily accessible to subscribers
133 and to applicants for coverage a list of shoppable health care
134 services and health care providers and the shared savings
135 incentive amount applicable for each service. A shared savings
136 incentive may not be less than 50 ~~25~~ percent of the savings
137 generated by the subscriber's participation in any shared
138 savings incentive offered by the health maintenance
139 organization. The baseline for the savings calculation is the
140 average in-network amount paid for that service in the most
141 recent 12-month period or some other methodology established by
142 the health maintenance organization and approved by the office.

143
144 ===== T I T L E A M E N D M E N T =====

145 And the title is amended as follows:

146 Delete line 2698

147 and insert:

148 service"; revising the minimum amount of certain
149 incentives health insurers and health maintenance
150 organizations may offer insureds or subscribers;
151 revising duties of certain health insurers