



539144

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/17/2020	.	
	.	
	.	
	.	

The Committee on Governmental Oversight and Accountability
(Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (1) is added to subsection (3) of
section 408.05, Florida Statutes, to read:

408.05 Florida Center for Health Information and
Transparency.—

(3) HEALTH INFORMATION TRANSPARENCY.—In order to
disseminate and facilitate the availability of comparable and



539144

11 uniform health information, the agency shall perform the
12 following functions:

13 (1) By July 1 of each year, publish a report identifying
14 the health care services with the most significant price
15 variation both statewide and regionally.

16 Section 2. Paragraph (e) of subsection (2) and paragraph
17 (e) of subsection (3) of section 627.6387, Florida Statutes, are
18 amended to read:

19 627.6387 Shared savings incentive program.—

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

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

- 27 1. Clinical laboratory services.
- 28 2. Infusion therapy.
- 29 3. Inpatient and outpatient surgical procedures.
- 30 4. Obstetrical and gynecological services.
- 31 5. Inpatient and outpatient nonsurgical diagnostic tests
32 and procedures.
- 33 6. Physical and occupational therapy services.
- 34 7. Radiology and imaging services.
- 35 8. Prescription drugs.
- 36 9. Services provided through telehealth.

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



539144

40 (3) A health insurer may offer a shared savings incentive
41 program to provide incentives to an insured when the insured
42 obtains a shoppable health care service from the health
43 insurer's shared savings list. An insured may not be required to
44 participate in a shared savings incentive program. A health
45 insurer that offers a shared savings incentive program must:

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 3. Paragraph (e) of subsection (2) and paragraph
54 (e) of subsection (3) of section 627.6648, Florida Statutes, are
55 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



539144

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 (e) At least quarterly, credit or deposit the shared
84 savings incentive amount to the insured's account as a return or
85 reduction in premium, ~~or~~ credit the shared savings incentive
86 amount to the insured's flexible spending account, health
87 savings account, or health reimbursement account, or reward the
88 insured directly with cash or a cash equivalent ~~such that the~~
89 ~~amount does not constitute income to the insured.~~

90 Section 4. Paragraph (e) of subsection (2) and paragraph
91 (e) of subsection (3) of section 641.31076, Florida Statutes,
92 are amended to read:

93 641.31076 Shared savings incentive program.—

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

95 (e) "Shoppable health care service" means a lower-cost,
96 high-quality nonemergency health care service for which a shared
97 savings incentive is available for subscribers under a health



539144

98 maintenance organization's shared savings incentive program.
99 Shoppable health care services may be provided within or outside
100 this state and include, but are not limited to:

- 101 1. Clinical laboratory services.
- 102 2. Infusion therapy.
- 103 3. Inpatient and outpatient surgical procedures.
- 104 4. Obstetrical and gynecological services.
- 105 5. Inpatient and outpatient nonsurgical diagnostic tests

106 and procedures.

- 107 6. Physical and occupational therapy services.
- 108 7. Radiology and imaging services.
- 109 8. Prescription drugs.
- 110 9. Services provided through telehealth.

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

114 (3) A health maintenance organization may offer a shared
115 savings incentive program to provide incentives to a subscriber
116 when the subscriber obtains a shoppable health care service from
117 the health maintenance organization's shared savings list. A
118 subscriber may not be required to participate in a shared
119 savings incentive program. A health maintenance organization
120 that offers a shared savings incentive program must:

121 (e) At least quarterly, credit or deposit the shared
122 savings incentive amount to the subscriber's account as a return
123 or reduction in premium, ~~or~~ credit the shared savings incentive
124 amount to the subscriber's flexible spending account, health
125 savings account, or health reimbursement account, or reward the
126 subscriber directly with cash or a cash equivalent ~~such that the~~



539144

127 ~~amount does not constitute income to the subscriber.~~

128 Section 5. This act shall take effect January 1, 2021.

129

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

131 And the title is amended as follows:

132 Delete everything before the enacting clause

133 and insert:

134 A bill to be entitled

135 An act relating to health insurance benefits; amending

136 s. 408.05, F.S.; requiring the Agency for Health Care

137 Administration to publish by a specified date an

138 annual report identifying certain health care

139 services; amending ss. 627.6387, 627.6648, and

140 641.31076, F.S.; revising the definition of the term

141 "shoppable health care service"; revising duties of

142 certain health insurers and health maintenance

143 organizations; providing an effective date.