

By Senator Brodeur

9-01013B-21

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1 A bill to be entitled
2 An act relating to increasing access to mental health
3 care; creating s. 624.36, F.S.; requiring the
4 Department of Financial Services, in collaboration
5 with the Agency for Health Care Administration, to
6 establish a system for tracking and monitoring
7 complaints made to the Division of Consumer Services
8 of the department regarding coverage and access to
9 mental health services; requiring the department and
10 agency to submit a report containing certain data to
11 the Governor and Legislature by a specified date;
12 requiring that insurers and health maintenance
13 organizations provide written notice to certain
14 persons which includes specified information;
15 providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 624.36, Florida Statutes, is created to
20 read:

21 624.36 Coverage of and access to mental health services;
22 tracking and monitoring of complaints; reporting.—

23 (1) The department, in collaboration with the Agency for
24 Health Care Administration, shall establish a system to track
25 and monitor complaints made by insureds covered under individual
26 or group health insurance policies and subscribers of health
27 maintenance organizations, including enrollees, to the Division
28 of Consumer Services of the department regarding the adequacy of
29 coverage and access to mental health services. By January 1,

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30 2022, the department and the agency shall jointly submit a
31 report to the Governor, the President of the Senate, and the
32 Speaker of the House of Representatives containing data relating
33 to such complaints, including, but not limited to, the number of
34 complaints, the causes of the complaints, and whether the
35 complaints were resolved in a timely manner.

36 (2) Insurers and health maintenance organizations shall
37 provide written notice to insureds, subscribers, and enrollees
38 which includes the federal and state requirements for coverage
39 of mental health services. Such notice must also include the
40 statewide toll-free telephone number of the Division of Consumer
41 Services of the department for receiving and logging complaints,
42 which may include, but need not be limited to, the challenges of
43 locating and accessing mental health services, the inflated
44 expense of receiving such services, and any other complaints
45 regarding the adequacy of services.

46 Section 2. This act shall take effect July 1, 2021.