

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

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

40 | Section 2. By January 1, 2022, the Department of Financial
41 | Services and the Agency for Health Care Administration shall
42 | jointly submit a report to the Governor, the President of the
43 | Senate, and the Speaker of the House of Representatives which
44 | contains data relating to complaints made by insureds covered
45 | under individual or group health insurance policies and
46 | subscribers of health maintenance organizations, including
47 | enrollees, to the Division of Consumer Services of the
48 | department regarding the adequacy of coverage of and access to
49 | behavioral health care services, as described in s. 624.36,
50 | Florida Statutes. The report must include, but is not limited

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51 | to, the number of complaints, the cause of such complaints, and
52 | whether the complaints were resolved within a timely manner.

53 | Section 3. This act shall take effect July 1, 2021.