

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 to  
 5           submit a report relating to behavioral health care  
 6           services and benefits to the Governor and the  
 7           Legislature by a specified date; specifying the  
 8           minimum information the report must contain; requiring  
 9           the department to make certain information available  
 10          on its website; creating ss. 627.4215 and 641.31085,  
 11          F.S.; requiring health insurers and health maintenance  
 12          organizations, respectively, to disclose specified  
 13          information on their websites; requiring health  
 14          insurers and health maintenance organizations,  
 15          respectively, to annually provide certain direct  
 16          notices to insureds or subscribers; providing an  
 17          effective date.

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

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 21           Section 1. Section 624.36, Florida Statutes, is created to  
 22           read:

23           624.36 Coverage of and access to behavioral health care  
 24           services; complaints; reporting.-

25           (1) By January 31, 2022, the department shall submit a

26 | report to the Governor, the President of the Senate, and the  
 27 | Speaker of the House of Representatives relating to the  
 28 | disposition of complaints received from insureds and subscribers  
 29 | of insurers or health maintenance organizations regulated by the  
 30 | office relating to the access to and affordability of behavioral  
 31 | health care services and benefits during the prior calendar  
 32 | year. At a minimum, the report must include all of the following  
 33 | information:

34 |       (a) The total number of complaints received.

35 |       (b) The nature of the complaints, including, but not  
 36 | limited to, concerns related to access to in-network providers  
 37 | or facilities; access to inpatient or outpatient services;  
 38 | availability of specialists; affordability of services;  
 39 | equivalency of behavioral health care benefits with respect to  
 40 | medical and surgical benefits; quality of care; and denial of  
 41 | services, including the types of services denied and the stated  
 42 | reason for the denials.

43 |       (c) The disposition of the complaints.

44 |       (d) Any recommendations made by the department to the  
 45 | Legislature for ensuring the access to and affordability of  
 46 | behavioral health care services to insureds and subscribers.

47 |       (2) The department shall make available on its website a  
 48 | description of behavioral health care benefits required to be  
 49 | made available pursuant to s. 627.668 and federal law for  
 50 | individual and group policies and contracts.

51 Section 2. Section 627.4215, Florida Statutes, is created  
52 to read:

53 627.4215 Disclosures to policyholders; coverage of  
54 behavioral health care services.-

55 (1) A health insurer shall make all of the following  
56 information available on its website:

57 (a) The federal and state requirements for coverage of  
58 behavioral health care services.

59 (b) Contact information for the Division of Consumer  
60 Services of the department, including a hyperlink, for consumers  
61 to submit inquiries or complaints relating to health insurer  
62 products or services regulated by the department or the office.

63 (2) On an annual basis, a health insurer shall provide a  
64 direct notice to insureds which must include a description of  
65 the federal and state requirements for coverage of behavioral  
66 health care services. Such notice must also include the website  
67 address and statewide toll-free telephone number of the Division  
68 of Consumer Services of the department for receiving and logging  
69 complaints.

70 Section 3. Section 641.31085, Florida Statutes, is created  
71 to read:

72 641.31085 Disclosures to subscribers; coverage of  
73 behavioral health care services.-

74 (1) A health maintenance organization shall make all of  
75 the following information available on its website:

76        (a) The federal and state requirements for coverage of  
77 behavioral health care services.

78        (b) Contact information for the Division of Consumer  
79 Services of the department, including a hyperlink, for consumers  
80 to submit inquiries or complaints relating to health maintenance  
81 organization products or services regulated by the department or  
82 the office.

83        (2) On an annual basis, a health maintenance organization  
84 shall provide a direct notice to subscribers which must include  
85 a description of the federal and state requirements for coverage  
86 of behavioral health care services. Such notice must also  
87 include the website address and statewide toll-free telephone  
88 number of the Division of Consumer Services of the department  
89 for receiving and logging complaints.

90        Section 4. This act shall take effect October 1, 2021.