

ENROLLED

CS/HB 701, Engrossed 1

2021 Legislature

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 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

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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.

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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:

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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.