

1 A bill to be entitled
 2 An act relating to retroactive denial of health care
 3 claims; amending ss. 627.6131 and 641.3155, F.S.;
 4 prohibiting, under certain circumstances, individual
 5 health insurers and health maintenance organizations
 6 from retroactively denying a claim because of insured
 7 and subscriber ineligibility, respectively, at any
 8 time; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Subsection (11) of section 627.6131, Florida
 13 Statutes, is amended to read:

14 627.6131 Payment of claims.—

15 (11) A health insurer may not retroactively deny a claim
 16 because of insured ineligibility more than 1 year after the date
 17 of payment of the claim. However, a health insurer that verified
 18 the eligibility of an insured at the time of treatment or
 19 provided an authorization number may not retroactively deny a
 20 claim because of insured ineligibility at any time.

21 Section 2. Subsection (10) of section 641.3155, Florida
 22 Statutes, is amended to read:

23 641.3155 Prompt payment of claims.—

24 (10) A health maintenance organization may not
 25 retroactively deny a claim because of subscriber ineligibility

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HB 851

2021

26 | more than 1 year after the date of payment of the claim.
 27 | However, a health maintenance organization that verified the
 28 | eligibility of a subscriber at the time of treatment or provided
 29 | an authorization number may not retroactively deny a claim
 30 | because of subscriber ineligibility at any time.

31 | Section 3. This act shall take effect January 1, 2022.