

1 A bill to be entitled
 2 An act relating to applicability of payments for
 3 nonpreferred provider services; amending s. 627.6471,
 4 F.S.; requiring certain health insurers to apply
 5 payments for services provided by nonpreferred
 6 providers toward insureds' deductibles and out-of-
 7 pocket maximums if specified conditions are met;
 8 providing an effective date.

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

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12 Section 1. Subsection (7) of section 627.6471, Florida
 13 Statutes, is renumbered as subsection (8), and a new subsection
 14 (7) is added to that section to read:

15 627.6471 Contracts for reduced rates of payment;
 16 limitations; coinsurance and deductibles.—

17 (7) Any insurer issuing a policy of health insurance in
 18 this state shall apply the payment for a service provided to an
 19 insured by a nonpreferred provider toward the insured's
 20 deductible and out-of-pocket maximum as if the service had been
 21 provided by a preferred provider if all of the following apply:

22 (a) The insured requests that the insurer apply the
 23 payment for the service provided to the insured by the
 24 nonpreferred provider toward the insured's deductible and out-
 25 of-pocket maximum.

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26 (b) The service provided to the insured by the
27 nonpreferred provider is a service within the scope of services
28 covered under the insured's policy.

29 (c) The amount that the nonpreferred provider charged the
30 insured for the service is the same or less than:

31 1. The average amount that the insured's preferred
32 provider network charges for the service; or

33 2. The statewide average amount for the service based on
34 data reported on the Florida Health Price Finder website.

35 Section 2. This act shall take effect January 1, 2023.