

1                                   A bill to be entitled  
 2           An act relating to the payment of health insurance  
 3           claims; amending ss. 627.6131 and 641.3155, F.S.;  
 4           prohibiting a health insurer or health maintenance  
 5           organization from retroactively denying a claim at any  
 6           time because of ineligibility of the insured or  
 7           subscriber, respectively; specifying an exception;  
 8           providing applicability; 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 (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 at any time, except a health  
 17 insurer may retroactively deny a claim for insured ineligibility  
 18 within 1 year after the date of payment of the claim if the  
 19 provider was convicted of fraud pursuant to s. 817.234. This  
 20 subsection applies to policies entered into or renewed on or  
 21 after January 1, 2024 ~~more than 1 year after the date of payment~~  
 22 ~~of the claim.~~

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

25           641.3155 Prompt payment of claims.—

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26 (10) A health maintenance organization may not  
27 retroactively deny a claim because of subscriber ineligibility  
28 at any time, except a health maintenance organization may  
29 retroactively deny a claim for subscriber ineligibility within 1  
30 year after the date of payment of the claim if the provider was  
31 convicted of fraud pursuant to s. 817.234. This subsection  
32 applies to contracts entered into or renewed on or after January  
33 1, 2024 ~~more than 1 year after the date of payment of the claim.~~

34 Section 3. This act shall take effect July 1, 2023.