

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 of the prohibition to
 9 contracts entered into or renewed on or after a
 10 specified date; providing nonapplicability of the
 11 prohibition to Medicaid managed care plans; providing
 12 an effective date.

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

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

18 627.6131 Payment of claims.—

19 (11) A health insurer may not retroactively deny a claim
 20 because of insured ineligibility at any time, except a health
 21 insurer may retroactively deny a claim for insured ineligibility
 22 within 1 year after the date of payment of the claim if the
 23 provider was convicted of fraud pursuant to s. 817.234. This
 24 subsection applies to policies entered into or renewed on or
 25 after January 1, 2024 ~~more than 1 year after the date of payment~~

26 | ~~of the claim.~~

27 | Section 2. Subsection (10) of section 641.3155, Florida
 28 | Statutes, is amended to read:

29 | 641.3155 Prompt payment of claims.—

30 | (10) A health maintenance organization may not
 31 | retroactively deny a claim because of subscriber ineligibility
 32 | at any time, except a health maintenance organization may
 33 | retroactively deny a claim for subscriber ineligibility within 1
 34 | year after the date of payment of the claim if the provider was
 35 | convicted of fraud pursuant to s. 817.234. This subsection
 36 | applies to contracts entered into or renewed on or after January
 37 | 1, 2024. This subsection does not apply to Medicaid managed care
 38 | plans under part IV of chapter 409 ~~more than 1 year after the~~
 39 | ~~date of payment of the claim.~~

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