

By Senator Sharief

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A bill to be entitled

An act relating to nonparticipating and out-of-network nurse registries and home health agencies; creating ss. 110.1236, 409.9055, 409.9755, 627.64744, and 641.3152, F.S.; prohibiting state group health insurance plans and state-contracted health maintenance organizations, the Agency for Health Care Administration, Medicaid managed care plans, individual health insurers, and health maintenance organizations, respectively, and any persons responsible for administering claims on behalf of such plans, organizations, agency, or insurers, from restricting participants, recipients, enrollees, policyholders, and subscribers from obtaining care from nonparticipating or out-of-network licensed nurse registries or home health agencies; prohibiting such entities and plans from steering, requiring, or unduly influencing selection of nurse registries or home health agencies; requiring that nonparticipating or out-of-network nurse registries and home health agencies be reimbursed at the same rate as in-network providers; amending s. 627.662, F.S.; revising applicability for group health insurance, blanket health insurance, and franchise health insurance; providing an effective date.

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

Section 1. Section 110.1236, Florida Statutes, is created

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to read:

110.1236 State group health insurance plan prohibited practices; nonparticipating and out-of-network nurse registries and home health agencies.—A state group health insurance plan, state-contracted HMO, or other insurance plan under the state group insurance program, or any person responsible for administering claims on behalf of the state group health insurance plan, state-contracted HMO, or other insurance plan under the state group insurance program, may not restrict participants from obtaining care from nonparticipating or out-of-network nurse registries or home health agencies licensed under part III of chapter 400. Such plans, entities, or persons may not steer, require, or unduly influence a participant to use preferred or in-network nurse registries or home health agencies. Nonparticipating and out-of-network nurse registries and home health agencies licensed under part III of chapter 400 must be reimbursed at the same rate as in-network providers for equivalent services under the plan.

Section 2. Section 409.9055, Florida Statutes, is created to read:

409.9055 Medicaid prohibited practices; nonparticipating and out-of-network nurse registries and home health agencies.—The agency, or any person responsible for administering claims on behalf of the agency, may not restrict Medicaid recipients from obtaining care from nonparticipating or out-of-network nurse registries or home health agencies licensed under part III of chapter 400. The agency or person may not steer, require, or unduly influence a Medicaid recipient to use preferred or participating nurse registries or home health agencies.

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Nonparticipating and out-of-network nurse registries and home health agencies licensed under part III of chapter 400 must be reimbursed at the same rate as participating or in-network providers for equivalent services under the plan.

Section 3. Section 409.9755, Florida Statutes, is created to read:

409.9755 Managed care plan prohibited practices; nonparticipating and out-of-network nurse registries and home health agencies.—A Medicaid managed care plan, or any person responsible for administering claims on behalf of the plan, may not restrict enrollees from obtaining care from nonparticipating or out-of-network nurse registries or home health agencies licensed under part III of chapter 400. Such plan or person may not steer, require, or unduly influence an enrollee to use preferred or participating nurse registries or home health agencies. Nonparticipating and out-of-network nurse registries and home health agencies licensed under part III of chapter 400 must be reimbursed at the same rate as participating or in-network providers for equivalent services under the plan.

Section 4. Section 627.64744, Florida Statutes, is created to read:

627.64744 Policy prohibitions; nonparticipating and out-of-network nurse registries and home health agencies.—Any health insurer issuing a policy of health insurance in this state, or any person responsible for administering claims on behalf of such insurer, may not restrict policyholders from obtaining care from nonparticipating or out-of-network nurse registries or home health agencies licensed under part III of chapter 400. Notwithstanding s. 627.6471, such insurer or person may not

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88 steer, require, or unduly influence a policyholder to use  
89 preferred or in-network nurse registries or home health  
90 agencies. Notwithstanding s. 627.64194, nonparticipating and  
91 out-of-network nurse registries and home health agencies  
92 licensed under part III of chapter 400 must be reimbursed at the  
93 same rate as preferred or in-network providers for equivalent  
94 services under the policy.

95 Section 5. Subsection (16) is added to section 627.662,  
96 Florida Statutes, to read:

97 627.662 Other provisions applicable.—The following  
98 provisions apply to group health insurance, blanket health  
99 insurance, and franchise health insurance:

100 (16) Section 627.64744, relating to policy prohibitions and  
101 nonparticipating and out-of-network nurse registries and home  
102 health agencies.

103 Section 6. Section 641.3152, Florida Statutes, is created  
104 to read:

105 641.3152 Policy prohibitions; nonparticipating and out-of-  
106 network nurse registries and home health agencies.—A health  
107 maintenance organization providing health services in this  
108 state, or any person responsible for administering claims on  
109 behalf of such organization, may not restrict subscribers from  
110 obtaining care from nonparticipating or out-of-network nurse  
111 registries or home health agencies licensed under part III of  
112 chapter 400. Such organization or person may not steer, require,  
113 or unduly influence a subscriber to use preferred or in-network  
114 nurse registries or home health agencies. Notwithstanding s.  
115 627.64194, nonparticipating and out-of-network nurse registries  
116 and home health agencies licensed under part III of chapter 400

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117 must be reimbursed at the same rate as preferred or in-network  
118 providers for equivalent services under the contract.

119 Section 7. This act shall take effect July 1, 2026.