

By Senator Steube

23-00002-18

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1                   A bill to be entitled  
2       An act relating to the payment of health care claims;  
3       amending s. 627.6131, F.S.; prohibiting a health  
4       insurer from retroactively denying a claim under  
5       specified circumstances; providing applicability;  
6       amending s. 641.3155, F.S.; prohibiting a health  
7       maintenance organization from retroactively denying a  
8       claim under specified circumstances; providing  
9       applicability; providing an effective date.

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

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

15       627.6131 Payment of claims.—

16       (11) A health insurer may not retroactively deny a claim  
17       because of insured ineligibility:

18       (a) At any time, if the health insurer verified the  
19       eligibility of an insured at the time of treatment and provided  
20       an authorization number. This paragraph applies to policies  
21       entered into or renewed on or after January 1, 2019.

22       (b) More than 1 year after the date of payment of the  
23       claim.

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

26       641.3155 Prompt payment of claims.—

27       (10) A health maintenance organization may not  
28       retroactively deny a claim because of subscriber ineligibility:

29       (a) At any time, if the health maintenance organization

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30 verified the eligibility of a subscriber at the time of  
31 treatment and provided an authorization number. This paragraph  
32 applies to contracts entered into or renewed on or after January  
33 1, 2019. This paragraph does not apply to Medicaid managed care  
34 plans pursuant to part IV of chapter 409.

35 (b) More than 1 year after the date of payment of the  
36 claim.

37 Section 3. This act shall take effect July 1, 2018.