

Bill No. SB 1148

Amendment No. 1 Barcode 111736

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Oversight and Productivity recommended the following amendment:

Senate Amendment (with title amendment)

On page 7, lines 29 and 30, delete those lines

and insert:

Section 13. The Legislature finds that a proper and legitimate state purpose is served when employees of the corporation established under this part, which is primarily an instrumentality of the state and carries out a vital state purpose under the direction of a board of directors which is appointed by the Governor and confirmed by the Senate, are given additional choices for the basic protections afforded by group health and prescription drug coverage programs that also permit the continued operation of a competitive marketplace and assure that affordable and available coverage is extended to all interested parties. Therefore, the Legislature determines and declares that s. 946.525 fulfills an important state interest.

Section 14. Section 946.525, Florida Statutes, is

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1 created to read:

2 946.525 Participation by the corporation in the state
3 group health insurance and prescription drug programs.

4 (1) The board of directors of the corporation
5 established under this part may apply for participation in the
6 state group health insurance program authorized in s. 110.123
7 and the prescription drug coverage program authorized by s.
8 110.12315 by submitting an application along with a \$500
9 nonrefundable fee to the Department of Management Services.

10 (2) As a prerequisite to the adoption of a resolution
11 for participation in the state group health insurance and
12 prescription drug coverage program, the corporation shall seek
13 proposals to provide health insurance and prescription drug
14 coverage which coverages are equivalent to those offered
15 currently by the corporation and coverages equivalent to the
16 state group health insurance and prescription drug coverage
17 program. The corporation shall review and consider all
18 responsive proposals prior to the adoption of any resolution
19 for participation in the state group health insurance and
20 prescription drug coverage program.

21 (3) If the Department of Management Services
22 determines that the corporation is eligible to enroll, the
23 corporation must agree to the following terms and conditions:

24 (a) The minimum enrollment or contractual period will
25 be 3 years.

26 (b) The corporation must pay to the Department of
27 Management Services an initial administrative fee not less
28 than \$2.61 per enrollee per month, or such other amount
29 established annually to fully reimburse the Department of
30 Management Services for its costs.

31 (c) Termination of participation of the corporation

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1 requires written notice 1 year before the termination date.

2 (d) If participation is terminated, the corporation
3 may not reapply for participation for a period of 2 years.

4 (e) The corporation shall reimburse the state for 100
5 percent of its costs, including administrative costs.

6 (f) If the corporation fails to make the payments
7 required by this section to fully reimburse the state, the
8 Department of Revenue or the Department of Banking and Finance
9 shall, upon the request of the Department of Management
10 Services, deduct the amount owed by the employer from any
11 funds to be distributed by it to the corporation. The amounts
12 so deducted shall be transferred to the Department of
13 Management Services for further distribution to the trust
14 funds in accordance with this chapter.

15 (g) The corporation shall furnish the Department of
16 Management Services any information requested by the
17 Department of Management Services which the Department of
18 Management Services considers necessary to administer the
19 state group health insurance program and the prescription drug
20 program.

21 (4) The provisions of ss. 624.436-624-446 do not apply
22 to the State Group Insurance Program or to this section.

23 (5) The Department of Management Services may adopt
24 rules necessary to administer this section.

25 Section 15. The Department of Management Services
26 shall request from the Internal Revenue Service, by October 1,
27 2001, a written determination letter and a favorable private
28 letter ruling, stating that the State Group Self-Insurance
29 Program, as amended by s. 946.525, is a facially qualified
30 plan. The department shall notify the President of the Senate
31 and the Speaker of the House of Representatives within 30 days

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1 after the receipt of the favorable or unfavorable letters.

2 Section 16. This act shall take effect upon becoming a
3 law, except that section 14 shall take effect only when the
4 Department of Management Services receives the favorable
5 letters requested by section 15. If the favorable letters are
6 not received, section 14 shall not take effect.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, line 12, delete that line

12
13

and insert:

14 cross-reference; providing a declaration of
15 important state interest; creating s. 946.525;
16 establishing participation requirements;
17 providing an effective date.

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