

CHAMBER ACTION

1 The Committee on Insurance recommends the following:

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3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to health maintenance organization
7 provider contracts; amending s. 641.19, F.S.; defining the
8 term "schedule of reimbursements"; amending s. 641.315,
9 F.S.; requiring a contract between a health maintenance
10 organization and a provider to disclose a complete
11 schedule of reimbursements for contracted services,
12 including changes and deviations; providing criteria,
13 requirements, and limitations; providing a definition;
14 providing an effective date.

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

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18 Section 1. Subsections (16) through (20) of section
19 641.19, Florida Statutes, are renumbered as subsections (17)
20 through (21), respectively, and a new subsection (16) is added
21 to said section to read:

22 641.19 Definitions.--As used in this part, the term:

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23 (16) "Schedule of reimbursements" means a schedule of fees
 24 to be paid by a health maintenance organization to a physician
 25 provider for reimbursement for specific services pursuant to the
 26 terms of a contract. The physician provider's net reimbursement
 27 may vary after consideration of other factors, including, but
 28 not limited to, bundling codes together into another code and
 29 member cost-sharing responsibility according to the terms of the
 30 contract between the health maintenance organization and
 31 provider. The reimbursement schedule may be stated as:

32 (a) A percentage of the Medicare fee schedule for specific
 33 relative-value services;

34 (b) A listing of the reimbursements to be paid by Current
 35 Procedural Terminology codes for physicians that pertain to each
 36 physician's practice; or

37 (c) Any other method agreed upon by the parties.

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 39 Specific non-relative-value services shall be stated separately
 40 from relative-value services, and reimbursement for unclassified
 41 services shall be on a reasonable basis.

42 Section 2. Subsection (4) of section 641.315, Florida
 43 Statutes, is amended to read:

44 641.315 Provider contracts.--

45 (4) Whenever a contract exists between a health
 46 maintenance organization and a provider, the health maintenance
 47 organization shall disclose to the provider:

48 (a) The mailing address or electronic address where claims
 49 should be sent for processing.†

50 (b) The telephone number that a provider may call to have
51 questions and concerns regarding claims addressed. ~~and~~

52 (c) The address of any separate claims-processing centers
53 for specific types of services.

54 (d)1. The complete schedule of reimbursements for all the
55 services for which a health maintenance organization and a
56 provider have contracted and any changes in or deviations from
57 the contracted schedule of reimbursements. The health
58 maintenance organization may satisfy this requirement by:

59 a. Providing the schedule of reimbursements or changes in
60 or deviations from the schedule by electronic means to the
61 provider; or

62 b. Providing a written copy of the schedule of
63 reimbursements or changes or deviations from the schedule if
64 requested by the provider.

65 2. The schedule of reimbursements is subject to the
66 nondisclosure provisions of the contract, and the provider shall
67 maintain the confidentiality of the schedule. For purposes of
68 this paragraph, the term "provider" means a physician licensed
69 under chapter 458, chapter 459, chapter 460, chapter 461, or
70 chapter 466.

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72 A health maintenance organization shall provide to its
73 contracted providers no less than 30 calendar days' prior
74 written notice of any changes in the information required in
75 this subsection.

76 Section 3. This act shall take effect January 1, 2005.