Bill No. <u>CS for CS for CS for SB 2910</u>

Amendment No. ___   Barcode 803424

CHAMBER ACTION

<u>Senate</u>	<u>House</u>
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04/26/2004 04:50 PM .	
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Senator Peaden moved the following amendment:

Senate Amendment (with title amendment)

        On page 123, between lines 11 and 12,

insert:

        Section 38. Section 641.31097, Florida Statutes, is

created to read:

        <u>641.31097 Decreasing inappropriate utilization of</u>

<u>emergency care.--</u>

        <u>(1) The Legislature finds and declares it to be of</u>

<u>vital importance that emergency services and care be provided</u>

<u>by hospitals and physicians to every person in need of such</u>

<u>care, but with the double-digit increases in health insurance</u>

<u>premiums, health care providers and insurers should encourage</u>

<u>patients and the insured to assume responsibility for their</u>

<u>treatment, including emergency care. The Legislature finds</u>

<u>that inappropriate utilization of emergency department</u>

<u>services increases the overall cost of providing health care</u>

<u>and these costs are ultimately borne by the hospital, by the</u>

<u>insured patients, and, many times, by the taxpayers of this</u>

1 <u>state. Finally, the Legislature declares that the providers</u>

2 <u>and insurers must share the responsibility of providing</u>

3 <u>alternative treatment options to urgent care patients outside</u>

4 <u>of the emergency department. Therefore, it is the intent of</u>

5 <u>the Legislature to place the obligation for educating</u>

6 <u>consumers and creating mechanisms for delivery of care that</u>

7 <u>will decrease the overutilization of emergency service on</u>

8 <u>health maintenance organizations and providers.</u>

9 <u>   (2) Health maintenance organizations shall provide on</u>

10 <u>their Internet websites information regarding appropriate</u>

11 <u>utilization of emergency care services, which shall include,</u>

12 <u>but not be limited to, a list of alternative urgent care</u>

13 <u>contracted providers, the types of services offered by these</u>

14 <u>providers, and what to do in the event of a true emergency.</u>

15 <u>   (3) Health maintenance organizations shall develop</u>

16 <u>community emergency department diversion programs. Such</u>

17 <u>programs may include at the discretion of the health</u>

18 <u>maintenance organization, but not be limited to, enlisting</u>

19 <u>providers to be on call to subscribers after hours,</u>

20 <u>coordinating care through local community resources, and</u>

21 <u>providing incentives to providers for case management.</u>

22 <u>   (4) As a disincentive for subscribers to</u>

23 <u>inappropriately use emergency department services for</u>

24 <u>nonemergency care, health maintenance organizations may</u>

25 <u>require higher copayments for urgent care or primary care</u>

26 <u>provided in an emergency department and higher copayments for</u>

27 <u>use of out-of-network emergency departments. Higher copayments</u>

28 <u>may not be charged for the utilization of the emergency</u>

29 <u>department for emergency care. For the purposes of this</u>

30 <u>section, the term "emergency care" has the same meaning as</u>

31 <u>provided in s. 395.002 and shall include services provided to</u>

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1 | <u>rule out an emergency medical condition.</u>

2 |

3 | (Redesignate subsequent sections.)

4 |

5 |

6 | ================ T I T L E   A M E N D M E N T ===============

7 | And the title is amended as follows:

8 | On page 11, line 20, after the semicolon,

9 |

10 | and insert:

11 | creating s. 641.31097, F.S.; providing for

12 | decreasing inappropriate use of emergency care;

13 | providing legislative findings and intent;

14 | requiring health maintenance organizations and

15 | providers to provide certain information

16 | electronically and develop community emergency

17 | department diversion programs; authorizing

18 | health maintenance organizations to require

19 | higher copayments for certain uses of emergency

20 | departments;

10:40 PM   04/23/04   s2910c3c-02s22