

By Senator Peaden

2-1408-05

1 A bill to be entitled

2 An act relating to the Florida Health Insurance

3 Plan; amending s. 627.64872, F.S.; redefining

4 the term "health insurance" for purposes of

5 determining assessments under the plan;

6 providing an effective date.

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

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10 Section 1. Paragraph (b) of subsection (20) of section

11 627.64872, Florida Statutes, is amended to read:

12 627.64872 Florida Health Insurance Plan.--

13 (20) COMBINING MEMBERSHIP OF THE FLORIDA COMPREHENSIVE

14 HEALTH ASSOCIATION; ASSESSMENT.--

15 (b)1. As a condition of doing business in this state,

16 an insurer shall pay an assessment to the board in the amount

17 prescribed by this section. For operating losses incurred on

18 or after July 1, 2004, by persons enrolled in the Florida

19 Comprehensive Health Association, each insurer shall annually

20 be assessed by the board in the following calendar year a

21 portion of such incurred operating losses of the plan. Such

22 portion shall be determined by multiplying such operating

23 losses by a fraction, the numerator of which equals the

24 insurer's earned premium pertaining to direct writings of

25 health insurance in the state during the calendar year

26 preceding that for which the assessment is levied, and the

27 denominator of which equals the total of all such premiums

28 earned by insurers in the state during such calendar year.

29 2. The total of all assessments under this paragraph

30 upon an insurer shall not exceed 1 percent of such insurer's

31 health insurance premium earned in this state during the

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 calendar year preceding the year for which the assessments
2 were levied.

3 3. For the purposes of determining assessments under
4 this section, the term "health insurance" means any hospital
5 and medical expense incurred policy, minimum premium plan,
6 stop-loss coverage, health maintenance organization contract,
7 prepaid health clinic contract, multiple-employer welfare
8 arrangement contract, or fraternal benefit society health
9 benefits contract, whether sold as an individual or group
10 policy or contract. The term does not include a policy
11 covering medical payment coverage or personal injury
12 protection coverage in a motor vehicle policy, coverage issued
13 as a supplement to liability insurance, or workers'
14 compensation.

15 ~~4.3-~~ All rights, title, and interest in the assessment
16 funds collected under this paragraph shall vest in this state.
17 However, all of such funds and interest earned shall be used
18 by the plan to pay claims and administrative expenses.

19 Section 2. This act shall take effect upon becoming a
20 law.

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23 SENATE SUMMARY

24 Provides that, for purposes of assessments under the
25 Florida Health Insurance Plan, the term "health
26 insurance" will have the same definition as that used for
27 the Florida Comprehensive Health Association Act.
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