

Amendment No.

CHAMBER ACTION

Senate

House

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Representatives Skidmore and Gonzalez offered the following:

Amendment (with title amendment)

Between lines 3256 and 3257, insert:

Section 88. Subsection (3) is added to section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined; alternative rates of payment; wellness programs.—

(3) WELLNESS PROGRAMS.—An insurer issuing a group or individual health benefit plan may offer a voluntary wellness or health-improvement program that allows for rewards or incentives, including, but not limited to, merchandise, gift cards, debit cards, premium discounts or rebates, contributions towards a member's health savings account, modifications to copayment, deductible, or coinsurance amounts, or any

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17 combination of these incentives, to encourage or reward
 18 participation in the program. The health plan member may be
 19 required to provide verification, such as a statement from his
 20 or her physician, that a medical condition makes it unreasonably
 21 difficult or medically inadvisable for the individual to
 22 participate in the wellness program. Any reward or incentive
 23 established under this subsection is not an insurance benefit
 24 and does not violate this section. This subsection does not
 25 prohibit an insurer from offering incentives or rewards to
 26 members for adherence to wellness or health improvement programs
 27 if otherwise allowed by state or federal law. Notwithstanding
 28 any provision of this subsection, no insurer, nor its agent, may
 29 use any incentive authorized by this subsection for the purpose
 30 of redirecting patients from one health care insurance plan to
 31 another.

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

37 Remove line 250 and insert:

38 prescription drugs; amending s. 626.9541, F.S.; authorizing an
 39 insurer offering a group or individual health benefit plan to
 40 offer a wellness program; authorizing rewards or incentives;
 41 providing that such rewards or incentives are not insurance
 42 benefits; providing for verification of a member's inability to
 43 participate for medical reasons; amending s. 633.081, F.S.;

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