

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Wood offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 91 and 92, insert:

5 Section 5. Section 624.122, Florida Statutes, is created
6 to read:

7 624.122 Interstate health insurance policies; notice;
8 exemption.-

9 (1) Interstate health insurance policies and applications
10 may be solicited and sold in this state only by a licensed
11 health insurance agent and underwritten only by an insurer
12 authorized to transact insurance in this state. For purposes of
13 this subsection, the term "interstate health insurance policy"
14 means a policy of health insurance providing creditable coverage
15 as defined in s. 627.6561(5)(a)2. that is offered to an
16 individual who is a resident of this state and the policy is

331319

Approved For Filing: 4/25/2011 1:49:07 PM

Amendment No.

17 governed by the laws of any state, district, or commonwealth of
18 the United States other than this state.

19 (2) Any interstate health insurance policy sold, and any
20 application for such insurance provided to a resident of this
21 state pursuant to this section, must contain the following
22 conspicuous, boldfaced disclosure in at least 12-point type:

23
24 THIS INDIVIDUAL HEALTH INSURANCE POLICY IS PRIMARILY
25 GOVERNED BY THE LAWS OF ... (INSERT STATE, DISTRICT, OR
26 COMMONWEALTH).... AS A RESULT, THIS POLICY DOES NOT
27 COMPLY WITH COVERAGE, UNDERWRITING, AND OTHER PROVISIONS
28 OF THE FLORIDA INSURANCE CODE. ALL OF THE RATING LAWS
29 APPLICABLE TO POLICIES FILED IN FLORIDA DO NOT APPLY TO
30 THIS COVERAGE, WHICH MAY RESULT IN INCREASES IN YOUR
31 PREMIUM AT RENEWAL THAT WOULD NOT BE PERMISSIBLE UNDER A
32 FLORIDA-APPROVED POLICY. ANY PURCHASE OF INDIVIDUAL
33 HEALTH INSURANCE SHOULD BE CONSIDERED CAREFULLY, AS
34 FUTURE MEDICAL CONDITIONS MAY MAKE IT IMPOSSIBLE TO
35 QUALIFY FOR ANOTHER INDIVIDUAL HEALTH POLICY. FOR
36 INFORMATION CONCERNING INDIVIDUAL HEALTH COVERAGE UNDER A
37 FLORIDA-APPROVED POLICY, CONSULT YOUR AGENT OR THE
38 FLORIDA DEPARTMENT OF FINANCIAL SERVICES.

39
40 (3) Any insurer underwriting interstate health insurance
41 policies pursuant to this section is subject to all applicable
42 provisions of the Florida Insurance Code, except as otherwise
43 provided in this section. Interstate health insurance policies
44 are not subject to any form approval, rate approval,

331319

Approved For Filing: 4/25/2011 1:49:07 PM

Amendment No.

45 underwriting restrictions, guaranteed availability, or coverage
46 mandates provided in the Florida Insurance Code. The insurer
47 must file the interstate health insurance policy forms and rates
48 and all subsequent changes to such forms and rates with the
49 office for informational purposes only, and the office must make
50 all such forms and rates available to the public on the office's
51 website. Health insurance agents who are licensed and appointed
52 pursuant to chapter 626 may solicit, sell, effect, collect
53 premium on, and deliver interstate health insurance policies in
54 accordance with this section.

55 (4) Any domestic health insurer authorized to transact
56 health insurance in this state that is not authorized to
57 transact health insurance in any other state may:

58 (a) Adopt, solicit, and sell any interstate health
59 insurance policy available in this state, using any of the forms
60 and rates filed with the office, by filing a notice with the
61 office of the insurer's intent to adopt, solicit, and sell such
62 policies in this state. The domestic insurer must file, for
63 informational purposes only, a copy of the forms and rates the
64 insurer will be using.

65 (b) Adopt, solicit, and sell as an interstate health
66 insurance policy any health insurance policy issued by a
67 subsidiary or related corporation, as defined in s.
68 625.325(3)(a) and (b), of a domestic insurer under this
69 subsection which provides creditable coverage, as defined in s.
70 627.6561(5)(a)2., and is governed by laws of any state,
71 district, or commonwealth of the United States other than this
72 state by complying with the requirements of this section.

331319

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Amendment No.

73 (5) Any interstate health insurance policy or application
74 solicited, provided, entered into, issued, or delivered pursuant
75 to this section is exempt from all provisions of the Florida
76 Insurance Code, except that such policy, contract, or agreement
77 is subject to the provisions of ss. 624.155, 624.316, 624.3161,
78 624.509, 624.5091, 626.951, 626.9511, 626.9521, 626.9541,
79 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601,
80 627.413, 627.4145, 627.428, and 627.6043.

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82
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84 -----
85 **T I T L E A M E N D M E N T**

86 Remove line 11 and insert:

87 creating s. 624.122, F.S.; authorizing solicitation and
88 sale of interstate health insurance policies in this state
89 by certain persons; providing a definition; requiring
90 interstate health insurance policies and policy
91 applications to contain a certain notice; providing for
92 application of certain provisions to certain insurers;
93 excluding interstate health insurance policies from
94 certain requirements; requiring such interstate health
95 insurers to make certain filings relating to policy forms
96 and rates; requiring the Office of Insurance Regulation to
97 make available on its website certain interstate health
98 policy forms and rates; authorizing certain authorized
99 domestic health insurers to engage in specified activities
100 relating to the sale of interstate health insurance;

331319

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Amendment No.

101 requiring such authorized domestic insurers to file a
102 notice with the office of the intent to engage in such
103 activities and a copy of certain forms and rates;
104 authorizing subsidiaries and related corporations of
105 certain domestic health insurers, which provide specified
106 creditable health insurance coverage and are governed by
107 certain laws other than the laws of this state to engage
108 in specified activities relating to the sale of interstate
109 health insurance; exempting interstate health insurance
110 policies and applications from certain Florida Insurance
111 Code provisions; providing exceptions; providing an
112 effective date.

113

114 WHEREAS, while many residents of this state have access to
115 first-rate health care, affordable health care coverage is not
116 available to all who wish to purchase it, and

117 WHEREAS, by removing barriers limiting access to affordable
118 health care coverage and expanding opportunities for residents
119 of this state to purchase more affordable coverage, this state
120 can improve access to health care and curtail rising health care
121 costs while preserving the first-rate care that so many
122 Floridians already enjoy, and

123 WHEREAS, it is important to provide residents of this state
124 with more choices when selecting a health insurance product to
125 allow individuals and families the ability to purchase
126 affordable health care coverage, thereby increasing their access
127 to quality health care, NOW, THEREFORE,

331319

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