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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2015	.	
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The Committee on Rules (Montford) recommended the following:

Senate Amendment (with title amendment)

Before line 22
insert:

Section 1. Subsection (9) of section 408.909, Florida
Statutes, is amended to read:

408.909 Health flex plans.—

(9) PROGRAM EVALUATION.—The agency and the office shall
evaluate the pilot program and its effect on the entities that
seek approval as health flex plans, on the number of enrollees,
and on the scope of the health care coverage offered under a



12 health flex plan; shall provide an assessment of the health flex
13 plans and their potential applicability in other settings; shall
14 use health flex plans to gather more information to evaluate
15 low-income consumer driven benefit packages; and shall, by
16 January 15, 2016 ~~January 1, 2005~~, and annually thereafter,
17 jointly submit a report to the Governor, the President of the
18 Senate, and the Speaker of the House of Representatives.

19 Section 2. Paragraph (e) of subsection (12) of section
20 440.13, Florida Statutes, is amended to read:

21 440.13 Medical services and supplies; penalty for
22 violations; limitations.-

23 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM
24 REIMBURSEMENT ALLOWANCES.-

25 (e) In addition to establishing the uniform schedule of
26 maximum reimbursement allowances, the panel shall:

27 1. Take testimony, receive records, and collect data to
28 evaluate the adequacy of the workers' compensation fee schedule,
29 nationally recognized fee schedules and alternative methods of
30 reimbursement to health care providers and health care
31 facilities for inpatient and outpatient treatment and care.

32 2. Survey health care providers and health care facilities
33 to determine the availability and accessibility of workers'
34 compensation health care delivery systems for injured workers.

35 3. Survey carriers to determine the estimated impact on
36 carrier costs and workers' compensation premium rates by
37 implementing changes to the carrier reimbursement schedule or
38 implementing alternative reimbursement methods.

39 4. Submit recommendations on or before January 15, 2017
40 ~~January 1, 2003~~, and biennially thereafter, to the President of



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41 the Senate and the Speaker of the House of Representatives on
42 methods to improve the workers' compensation health care
43 delivery system.

44
45 The department, as requested, shall provide data to the panel,
46 including, but not limited to, utilization trends in the
47 workers' compensation health care delivery system. The
48 department shall provide the panel with an annual report
49 regarding the resolution of medical reimbursement disputes and
50 any actions pursuant to subsection (8). The department shall
51 provide administrative support and service to the panel to the
52 extent requested by the panel. For prescription medication
53 purchased under the requirements of this subsection, a
54 dispensing practitioner shall not possess such medication unless
55 payment has been made by the practitioner, the practitioner's
56 professional practice, or the practitioner's practice management
57 company or employer to the supplying manufacturer, wholesaler,
58 distributor, or drug repackager within 60 days of the dispensing
59 practitioner taking possession of that medication.

60 Section 3. Paragraph (f) of subsection (1) of section
61 624.413, Florida Statutes, is amended to read:

62 624.413 Application for certificate of authority.—

63 (1) To apply for a certificate of authority, an insurer
64 shall file its application therefor with the office, upon a form
65 adopted by the commission and furnished by the office, showing
66 its name; location of its home office and, if an alien insurer,
67 its principal office in the United States; kinds of insurance to
68 be transacted; state or country of domicile; and such additional
69 information as the commission reasonably requires, together with



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70 the following documents:

71 (f) If a foreign or alien insurer, a copy of the report of
72 the most recent examination of the insurer certified by the
73 public official having supervision of insurance in its state of
74 domicile or of entry into the United States. The end of the most
75 recent year covered by the examination must be within the 5-year
76 ~~3-year~~ period preceding the date of application. In lieu of the
77 certified examination report, the office may accept an audited
78 certified public accountant's report prepared on a basis
79 consistent with the insurance laws of the insurer's state of
80 domicile, certified by the public official having supervision of
81 insurance in its state of domicile or of entry into the United
82 States.

83 Section 4. Subsection (6) of section 627.211, Florida
84 Statutes, is amended to read

85 627.211 Deviations; workers' compensation and employer's
86 liability insurances.-

87 (6) The office shall submit an annual report to the
88 President of the Senate and the Speaker of the House of
89 Representatives by January 15 ~~1~~ of each year which evaluates
90 competition in the workers' compensation insurance market in
91 this state. The report must contain an analysis of the
92 availability and affordability of workers' compensation coverage
93 and whether the current market structure, conduct, and
94 performance are conducive to competition, based upon economic
95 analysis and tests. The purpose of this report is to aid the
96 Legislature in determining whether changes to the workers'
97 compensation rating laws are warranted. The report must also
98 document that the office has complied with the provisions of s.



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99 627.096 which require the office to investigate and study all
100 workers' compensation insurers in the state and to study the
101 data, statistics, schedules, or other information as it finds
102 necessary to assist in its review of workers' compensation rate
103 filings.

104
105 ===== T I T L E A M E N D M E N T =====

106 And the title is amended as follows:

107 Delete line 2

108 and insert:

109 An act relating to insurance; amending s. 408.909,
110 F.S.; revising the due date for an annual report
111 relating to health flex plans, which must be submitted
112 by the Office of Insurance Regulation and the Agency
113 for Health Care Administration; amending s. 440.13,
114 F.S.; revising the due date for a biennial report
115 relating to methods to improve the workers'
116 compensation health care delivery system, which must
117 be submitted by a certain three-member panel; amending
118 s. 624.413, F.S.; increasing the number of years that
119 a specified examination report remains valid and may
120 be considered for the purpose of applying for a
121 certificate of authority; amending s.627.711, F.S.;
122 revising the due date for an annual report relating to
123 certain workers' compensation issues which must be
124 submitted by the office; amending s. 624.425,