

1 A bill to be entitled
2 An act relating to the payment of health care claims;
3 amending s. 627.6131, F.S.; prohibiting a health
4 insurer from retroactively denying a claim under
5 specified circumstances; providing applicability;
6 amending s. 641.3155, F.S.; prohibiting a health
7 maintenance organization from retroactively denying a
8 claim under specified circumstances; providing
9 applicability; exempting certain Medicaid managed care
10 plans; providing an effective date.

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

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14 Section 1. Subsection (11) of section 627.6131, Florida
15 Statutes, is amended to read:

16 627.6131 Payment of claims.—

17 (11) A health insurer may not retroactively deny a claim
18 because of insured ineligibility:

19 (a) At any time, if the health insurer verified the
20 eligibility of an insured at the time of treatment and provided
21 an authorization number. This paragraph applies to policies
22 entered into or renewed on or after January 1, 2018.

23 (b) More than 1 year after the date of payment of the
24 claim.

25 Section 2. Subsection (10) of section 641.3155, Florida

26 Statutes, is amended to read:

27 641.3155 Prompt payment of claims.—

28 (10) A health maintenance organization may not
29 retroactively deny a claim because of subscriber ineligibility:

30 (a) At any time, if the health maintenance organization
31 verified the eligibility of a subscriber at the time of
32 treatment and provided an authorization number. This paragraph
33 applies to contracts entered into or renewed on or after January
34 1, 2018. This paragraph does not apply to Medicaid managed care
35 plans pursuant to part IV of chapter 409.

36 (b) More than 1 year after the date of payment of the
37 claim.

38 Section 3. This act shall take effect July 1, 2017.