

1                                   A bill to be entitled  
 2           An act relating to health insurance benefits; amending  
 3           s. 408.05, F.S.; requiring the Agency for Health Care  
 4           Administration to publish an annual report identifying  
 5           certain health care services by a specified date;  
 6           amending s. 627.6387, 627.6648, and 641.31076, F.S.;  
 7           revising the definition of the term "shoppable health  
 8           care service"; revising duties of certain health  
 9           insurers and health maintenance organizations;  
 10          providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Paragraph (1) is added to subsection (3) of  
 15           section 408.05, Florida Statutes, to read:

16           408.05 Florida Center for Health Information and  
 17           Transparency.—

18           (3) HEALTH INFORMATION TRANSPARENCY.—In order to  
 19           disseminate and facilitate the availability of comparable and  
 20           uniform health information, the agency shall perform the  
 21           following functions:

22           (1) By July 1 of each year, publish a report identifying  
 23           the health care services with the most significant price  
 24           variation both statewide and regionally.

25           Section 2. Paragraph (e) of subsection (2) and paragraph

26 (e) of subsection (3) of section 627.6387, Florida Statutes, are  
 27 amended to read:

28 627.6387 Shared savings incentive program.—

29 (2) As used in this section, the term:

30 (e) "Shoppable health care service" means a lower-cost,  
 31 high-quality nonemergency health care service for which a shared  
 32 savings incentive is available for insureds under a health  
 33 insurer's shared savings incentive program. Shoppable health  
 34 care services may be provided within or outside this state and  
 35 include, but are not limited to:

- 36 1. Clinical laboratory services.
- 37 2. Infusion therapy.
- 38 3. Inpatient and outpatient surgical procedures.
- 39 4. Obstetrical and gynecological services.
- 40 5. Inpatient and outpatient nonsurgical diagnostic tests
- 41 and procedures.
- 42 6. Physical and occupational therapy services.
- 43 7. Radiology and imaging services.
- 44 8. Prescription drugs.
- 45 9. Services provided through telehealth.
- 46 10. Any additional services published by the Agency for
- 47 Health Care Administration that have the most significant price
- 48 variation pursuant to s. 408.05(3)(1).

49 (3) A health insurer may offer a shared savings incentive  
 50 program to provide incentives to an insured when the insured

51 obtains a shoppable health care service from the health  
52 insurer's shared savings list. An insured may not be required to  
53 participate in a shared savings incentive program. A health  
54 insurer that offers a shared savings incentive program must:

55 (e) At least quarterly, credit or deposit the shared  
56 savings incentive amount to the insured's account as a return or  
57 reduction in premium, or credit the shared savings incentive  
58 amount to the insured's flexible spending account, health  
59 savings account, or health reimbursement account, or reward the  
60 insured directly with cash or a cash equivalent ~~such that the~~  
61 ~~amount does not constitute income to the insured.~~

62 Section 3. Paragraph (e) of subsection (2) and paragraph  
63 (e) of subsection (3) of section 627.6648, Florida Statutes, are  
64 amended to read:

65 627.6648 Shared savings incentive program.—

66 (2) As used in this section, the term:

67 (e) "Shoppable health care service" means a lower-cost,  
68 high-quality nonemergency health care service for which a shared  
69 savings incentive is available for insureds under a health  
70 insurer's shared savings incentive program. Shoppable health  
71 care services may be provided within or outside this state and  
72 include, but are not limited to:

- 73 1. Clinical laboratory services.
- 74 2. Infusion therapy.
- 75 3. Inpatient and outpatient surgical procedures.

- 76 4. Obstetrical and gynecological services.
- 77 5. Inpatient and outpatient nonsurgical diagnostic tests
- 78 and procedures.
- 79 6. Physical and occupational therapy services.
- 80 7. Radiology and imaging services.
- 81 8. Prescription drugs.
- 82 9. Services provided through telehealth.
- 83 10. Any additional services published by the Agency for
- 84 Health Care Administration that have the most significant price
- 85 variation pursuant to s. 408.05(3)(1).

86 (3) A health insurer may offer a shared savings incentive  
 87 program to provide incentives to an insured when the insured  
 88 obtains a shoppable health care service from the health  
 89 insurer's shared savings list. An insured may not be required to  
 90 participate in a shared savings incentive program. A health  
 91 insurer that offers a shared savings incentive program must:

92 (e) At least quarterly, credit or deposit the shared  
 93 savings incentive amount to the insured's account as a return or  
 94 reduction in premium, or credit the shared savings incentive  
 95 amount to the insured's flexible spending account, health  
 96 savings account, or health reimbursement account, or reward the  
 97 insured directly with cash or a cash equivalent ~~such that the~~  
 98 ~~amount does not constitute income to the insured.~~

99 Section 4. Paragraph (e) of subsection (2) and paragraph  
 100 (e) of subsection (3) of section 641.31076, Florida Statutes,

101 are amended to read:

102 641.31076 Shared savings incentive program.—

103 (2) As used in this section, the term:

104 (e) "Shoppable health care service" means a lower-cost,  
 105 high-quality nonemergency health care service for which a shared  
 106 savings incentive is available for subscribers under a health  
 107 maintenance organization's shared savings incentive program.  
 108 Shoppable health care services may be provided within or outside  
 109 this state and include, but are not limited to:

- 110 1. Clinical laboratory services.
- 111 2. Infusion therapy.
- 112 3. Inpatient and outpatient surgical procedures.
- 113 4. Obstetrical and gynecological services.
- 114 5. Inpatient and outpatient nonsurgical diagnostic tests  
 115 and procedures.
- 116 6. Physical and occupational therapy services.
- 117 7. Radiology and imaging services.
- 118 8. Prescription drugs.
- 119 9. Services provided through telehealth.
- 120 10. Any additional services published by the Agency for  
 121 Health Care Administration that have the most significant price  
 122 variation pursuant to s. 408.05(3)(1).

123 (3) A health maintenance organization may offer a shared  
 124 savings incentive program to provide incentives to a subscriber  
 125 when the subscriber obtains a shoppable health care service from

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126 the health maintenance organization's shared savings list. A  
127 subscriber may not be required to participate in a shared  
128 savings incentive program. A health maintenance organization  
129 that offers a shared savings incentive program must:

130 (e) At least quarterly, credit or deposit the shared  
131 savings incentive amount to the subscriber's account as a return  
132 or reduction in premium, or credit the shared savings incentive  
133 amount to the subscriber's flexible spending account, health  
134 savings account, or health reimbursement account, or reward the  
135 subscriber directly with cash or a cash equivalent ~~such that the~~  
136 ~~amount does not constitute income to the subscriber.~~

137 Section 5. This act shall take effect January 1, 2021.