



Action Packet

Committee on Health Innovation

**Tuesday, February 19, 2008
9:00 AM - 10:15 AM
Morris Hall (17 HOB)**

**Marco Rubio
Speaker**

**Rene Garcia
Chair**

COMMITTEE MEETING REPORT

Committee on Health Innovation

2/19/2008 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Rene Garcia (Chair)	X		
James Frishe	X		
Eduardo Gonzalez			X
Ed Homan	X		
Jimmy Patronis	X		
Ari Porth	X		
Maria Sachs			X
Franklin Sands	X		
Will Weatherford	X		
Totals:	7	0	2

Committee meeting was reported out: Tuesday, February 19, 2008 1:04:19PM

COMMITTEE MEETING REPORT

Committee on Health Innovation

2/19/2008 9:00:00AM

Location: Morris Hall (17 HOB)

HB 405 : Health Insurance Claims Payments

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
	James Frishe	X			
Eduardo Gonzalez			X		
Ed Homan	X				
Jimmy Patronis	X				
Ari Porth	X				
Maria Sachs			X		
Franklin Sands	X				
Will Weatherford	X				
Rene Garcia (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Appearances:

Lois Adams - Proponent
HHCS Health Group
3901 E. Colonial Dr.
Orlando Florida 32803
Phone: (407) 898-4427

Joanna Bonfanti (Lobbyist) - Information Only
Florida Chamber of Commerce
136 S. Bronough St.
Tallahassee Florida 32301
Phone: (850) 521-1253

Christopher Crosby, President - Proponent
The Watershed Addicton Treatment Programs
200 Congress Park Drive
Delray Beach Florida 33445
Phone: (561) 860-8270

Jose Gonzalez (Lobbyist) - Opponent
Vice President Governmental Affairs
Associated Industries of Florida 516 N. Adams St.
Tallahassee Florida 32301
Phone: (850) 224-7173

Sally House (Lobbyist) - Proponent
Director of Government Affairs
Florida Retail Federation PO Box 10024
Tallahassee Florida
Phone: (850) 222-4082

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Terry Meek (Lobbyist) - Proponent
Florida Ambulance Association
PO Box 13441
Tallahassee Florida 32309
Phone: (850) 893-7821

Joy Ryan (Lobbyist) - Opponent
American Health Insurance Plans
204 S. Monroe St.
Tallahassee Florida 32312
Phone: (850) 681-6710

Paul Sanford (Lobbyist) - Opponent
Blue Cross Blue Shield
106 S. Monroe St.
Tallahassee Florida 32301
Phone: (850) 222-7200

Michael Wasylik, MD - Proponent
Florida Medical Association Committee on Managed Care
2919 Swann Ave. #201
Tampa Florida 33609
Phone: (813) 877-9413

Bob Wychulis, President (Lobbyist) - Opponent
Florida Association of Health Plans
200 W College Ave.
Tallahassee Florida 32301

Waived in Support
Bryan Andrews - Proponent
Lake Sumter EMS
2761 W. Old Hwy 441
Mount Dora Florida 32776
Phone: (352) 385-2530

Waived in Support
Fraser Cobbe, Executive Director - Proponent
Florida Orthopaedic Society
17503 Mallard Ct.
Lutz Florida 33559
Phone: (813) 948-8660

Waived in Support
William B Hightower (Lobbyist) - Proponent
Director of Governmental Relations
Florida Osteopathic Medical Association 2007 Apalachee Parkway
Tallahassee Florida 32301
Phone: (850) 878-1277

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Waived in Support

James A. Judge, Executive Director - Proponent

Lake Sumter EMS

2761 West old Hwy 441

Mount Dora Florida 32757

Phone: (352) 383-4554

Waived in Support

Walter Kopka, Battalion Chief - Proponent

Collier County EMS

2705 Horseshoe Dr. South

Naples Florida 34104

Phone: (239) 825-5870

Waived in Support

Patrick J. Kostic, EMS Manager - Proponent

Escambia County EMS

127 Fairpoint Dr.

Gulf Breeze Florida

Phone: (850) 932-6816

Waived in Support

Paul Lambert, General Counsel (Lobbyist) - Proponent

Florida Chiropractic Association

208 W. Carolina St.

Tallahassee Florida 32301

Phone: (850) 224-9393

Waived in Support

Nancy Moreau (Lobbyist) - Proponent

Florida Chapter American Academy of Pediatrics

1895 Vineland Lane

Tallahassee Florida 32317

Phone: (850) 942-7031

Waived in Support

Sandra Mortham (Lobbyist) - Proponent

Florida Association of Counties

6675 Weeping Willow Way

Tallahassee Florida 32311

Phone: (850) 251-2283

Waived in Support

Chris Nuland (Lobbyist) - Proponent

Internal Medicine, Plastic, Cardiovascular, General & Neuro Surgery

1000 Riverside Ave. #115

Jacksonville Florida 32205

Phone: (904) 355-1555

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Waived in Support

Robert Sims - Proponent

Lifeguard Ambulance Service of Florida

4211 Jerry L. Maygarden Rd.

Pensacola Florida 32504

Phone: (850) 393-7279

Waived in Support

Steve Sweeney, Financial Services Manager - Proponent

Marion County EMS Alliance

6 Fir Trail Court

Ocala Florida

Phone: (352) 438-6262

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Location: Morris Hall (17 HOB)

Other Business Appearance:

Insurance Mandates

Kevin Wrege, Esq. (At Request Of Chair) - Information Only

Council for Affordable Health Insurance

4410 Massachusetts Ave., NW

Washington DC 20016

Phone: (202) 625-1787

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Committee on Health Innovation

2/19/2008 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Committee on Health Innovation

Tuesday February 19, 2008 09:00 am

HB 405 Favorable With Amendments (1)

Yeas: 7 Nays: 0

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House of Representatives
COMMITTEE BILL ACTION WORKSHEET

Committee/Subcommittee on HEALTH INNOVATION Bill No. HR 405

Meeting Date Feb. 19, 2008 Time 9:10 Am Place Morris Hall

COMMITTEE ACTION:

- Favorable
- Favorable with Amendments 1
- Favorable with Committee Substitute
- Unfavorable
- Temporarily Deferred
- Reconsidered

Other Action: _____

Final Vote on Bill		Members	#1							
			Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<input checked="" type="checkbox"/>		Rep. Jim Frishe								
		Rep. Eduardo Gonzalez								
<input checked="" type="checkbox"/>		Rep. Ed Homan								
<input checked="" type="checkbox"/>		Rep. Jimmy Patronis								
<input checked="" type="checkbox"/>		Rep. Ari Porth								
		Rep. Maria Lorts Sachs								
<input checked="" type="checkbox"/>		Rep. Franklin Sands								
<input checked="" type="checkbox"/>		Rep. Will Weatherford								
<input checked="" type="checkbox"/>		Rep. Rene Garcia, Chair								
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
7	0	TOTALS	(A)							

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. #1 (for drafter's use only)

Bill No. 0405

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Council/Committee hearing bill: Committee on Health Innovation
2 Representative Galvano offered the following:

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

5 Remove line(s) 29-82 and insert:

6 Section 1. Section 627.638, Florida Statutes, is amended
7 to read:

8 627.638 Direct payment for hospital, ambulance, and
9 medical services.--

10 (1) Any health insurance policy insuring against loss or
11 expense due to hospital confinement or to medical and related
12 services may provide for payment of benefits directly to any
13 recognized hospital, licensed ambulance provider, doctor, or
14 other person who provided the services, in accordance with the
15 provisions of the policy. To comply with this section, the words
16 "or to the hospital, licensed ambulance provider, doctor, or
17 person rendering services covered by this policy," or similar
18 words appropriate to the terms of the policy, shall be added to
19 applicable provisions of the policy.

20 (2) Whenever, in any health insurance claim form, an
21 insured specifically authorizes payment of benefits directly to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. _____ (for drafter's use only)

22 any recognized hospital, licensed ambulance provider, physician,
23 or dentist, the insurer shall make such payment to the
24 designated provider of such services, ~~unless otherwise provided~~
25 ~~in the insurance contract~~. The insurance contract may not
26 prohibit, and claims forms must provide an option for, the
27 payment of benefits directly to a licensed hospital, licensed
28 ambulance provider, physician, or dentist for care provided
29 ~~pursuant to s. 395.1041~~. The insurer may require written
30 attestation of assignment of benefits may be in written or
31 electronic form. Payment to the provider from the insurer may
32 not be more than the amount that the insurer would otherwise
33 have paid without the assignment.

34 Section 2. Subsection (7) is added to section 627.6471,
35 Florida Statutes, to read:

36 627.6471 Contracts for reduced rates of payment;
37 limitations; coinsurance and deductibles.--

38 (7) (a) An insurer or an administrator may not reimburse a
39 preferred provider at an alternative or a reduced rate of
40 payment for covered services that are provided to an insured
41 unless:

42 1. The insurer or administrator has contracted with the
43 preferred provider and has agreed to provide coverage for those
44 health care services under the health insurance policy.

45 2. The preferred provider has agreed to the contract and
46 to provide health care services under the terms of the contract.

47 (b) A party to a preferred provider contract may not sell,
48 lease, or otherwise transfer information regarding the payment
49 or reimbursement terms of the contract without the express
50 authority of and prior adequate notification to the other
51 contracting parties.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. _____ (for drafter's use only)

52 Section 3. Subsection (41) is added to section 641.31,
53 Florida Statutes, to read:

54 641.31 Health maintenance contracts.--

55 (41) Whenever, in any health maintenance organization
56 claim form, a subscriber specifically authorizes payment of
57 benefits directly to any hospital, ambulance provider,
58 physician, or dentist, the health maintenance organization shall
59 make such payment to the designated provider of such services,
60 provided any benefits are due to the subscriber under the terms
61 of the agreement between the subscriber and the health
62 maintenance organization. The health maintenance organization
63 contract may not prohibit, and claims forms must provide an
64 option for, the payment of benefits directly to a licensed
65 hospital, ambulance provider, physician, or dentist for covered
66 services provided, for services provided pursuant to s.
57 395.1041, and for ambulance transport and treatment provided
68 pursuant to part III of chapter 401. The attestation of
69 assignment of benefits may be in written or electronic form.
70 Payment to the provider from the health maintenance organization
71 may not be more than the amount that the insurer would otherwise
72 have paid without the assignment. Nothing in this subsection
73 affects the applicability of ss. 641.3154 and 641.513 with
74 respect to services provided and payment for such services
75 provided pursuant to this subsection.

76
77
78
79 -----
80 **T I T L E A M E N D M E N T**

81 Remove line(s) 3-19 and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. _____ (for drafter's use only)

82 amending s. 627.638, F.S.; including licensed ambulance
83 providers under provisions for direct payment for certain
84 services; deleting an insurance contract limitation on payment
85 of benefits directly to providers; authorizing forms for
86 attestations of assignment of benefits; amending s. 627.6471,
87 F.S.; prohibiting insurers and plan administrators from
88 reimbursing preferred providers at alternative or reduced rates
89 for covered services under certain circumstances; providing
90 exceptions; prohibiting preferred provider contract parties from
91 selling, leasing, or transferring contract payment or
92 reimbursement terms information under certain circumstances;
93 amending s. 641.31, F.S.; requiring health maintenance
94 organizations to pay benefits directly to certain providers
95 under certain circumstances; prohibiting health maintenance
96 contracts from prohibiting and requiring claims form to provide
97 the option for payment of benefits directly to certain
98 providers; amending s. 641.315, F.S.;