

## Committee Substitute for Senate Bill No. 590

An act relating to health maintenance contracts; amending s. 641.31, F.S.; requiring a health maintenance organization to provide in writing a disclosure of rights to new subscribers who reside at a continuing care facility or retirement facility; providing that if a subscriber's request to be referred to the skilled nursing unit or assisted living facility that is part of the subscriber's place of residence is not honored, the subscriber may use a specified grievance process; providing an effective date.

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

Section 1. Subsection (25) of section 641.31, Florida Statutes, is amended to read:

641.31 Health maintenance contracts.—

(25) If a subscriber is a resident of a continuing care facility certified under chapter 651 or a retirement facility consisting of a nursing home or assisted living facility and residential apartments, the subscriber's primary care physician must refer the subscriber to that facility's skilled nursing unit or assisted living facility if requested by the subscriber and agreed to by the facility; if the primary care physician finds that such care is medically necessary it is in the best interest of the patient to do so; if the facility agrees to be reimbursed at the health maintenance organization's contract rate negotiated with similar providers for the same services and supplies; and if the facility meets all guidelines established by the health maintenance organization related to quality of care, utilization, referral authorization, risk assumption, use of the health maintenance organization's network, and other criteria applicable to providers under contract for the same services and supplies. If a health maintenance organization enrolls a new subscriber who already resides in a continuing care facility or a retirement facility as described in this subsection, the health maintenance organization must provide in writing a disclosure of the subscriber's rights under this subsection. If a subscriber's request to be referred to the skilled nursing unit or assisted living facility that is part of the subscriber's place of residence is not honored, the subscriber may use the grievance process provided in s. 641.511.

Section 2. This act shall take effect July 1, 2007.

Approved by the Governor June 26, 2007.

Filed in Office Secretary of State June 26, 2007.