

1 A bill to be entitled
 2 An act relating to a patient's choice of providers;
 3 providing a short title; providing definitions;
 4 prohibiting a health insurer from excluding a willing
 5 and qualified health care provider from participating
 6 in the health insurer's provider network under certain
 7 circumstances; providing an effective date.

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

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 11 Section 1. Patient's choice of providers; discrimination
 12 against willing and qualified health care providers prohibited.-

13 (1) This section may be cited as the "Patient's Freedom of
 14 Choice of Providers Act."

15 (2) For purposes of this section, the term:

16 (a) "Health care provider" means a health care
 17 professional licensed under chapter 458; chapter 459; chapter
 18 460; chapter 461; chapter 463; chapter 464; chapter 465; chapter
 19 466; part I, part III, part IV, part V, or part X of chapter
 20 468; chapter 483; chapter 484; chapter 486; chapter 490; or
 21 chapter 491, Florida Statutes.

22 (b) "Health insurance plan" means health benefits coverage
 23 under the following:

24 1. A health plan offered by any certified health
 25 maintenance organization or authorized health insurer, except a

26 | plan that is limited to the following: a limited benefit,
27 | specified disease, or specified accident; hospital indemnity;
28 | accident only; limited benefit convalescent care; Medicare
29 | supplement; credit disability; dental; vision; long-term care;
30 | disability income; coverage issued as a supplement to another
31 | health plan; workers' compensation liability or other insurance;
32 | or motor vehicle medical payment only; or

33 | 2. An employee welfare benefit plan that includes health
34 | benefits established under the Employee Retirement Income
35 | Security Act of 1974, as amended.

36 | (c) "Health insurer" means any insurance company
37 | authorized to transact health insurance in the state, any
38 | insurance company authorized to transact health insurance or
39 | casualty insurance in the state that is offering a minimum
40 | premium plan or stop-loss coverage for any person or entity
41 | providing health care benefits, any self-insurance plan as
42 | defined in s. 624.031, Florida Statutes, any health maintenance
43 | organization authorized to transact business in the state
44 | pursuant to part I of chapter 641, Florida Statutes, any prepaid
45 | health clinic authorized to transact business in the state
46 | pursuant to part II of chapter 641, Florida Statutes, any
47 | multiple-employer welfare arrangement authorized to transact
48 | business in the state pursuant to ss. 624.436-624.45, Florida
49 | Statutes, or any fraternal benefit society providing health
50 | benefits to its members as authorized pursuant to chapter 632,

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51 Florida Statutes.

52 (3) Notwithstanding any other law, a health insurer may
53 not obstruct a patient's choice by excluding a health care
54 provider licensed in this state from participating in the health
55 insurer's provider network, if the health care provider is:

56 (a) Located within the geographic coverage area of the
57 health insurance plan; and

58 (b) Willing and qualified to meet the terms, conditions,
59 and fee schedule established by the health insurer.

60 Section 2. This act shall take effect July 1, 2018.