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

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

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

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641.31 Health maintenance contracts.--

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21 (25) If a subscriber is a resident of a continuing  
22 care facility certified under chapter 651 or a retirement  
23 facility consisting of a nursing home or assisted living  
24 facility and residential apartments, the subscriber's primary  
25 care physician must refer the subscriber to that facility's  
26 skilled nursing unit or assisted living facility if requested  
27 by the subscriber and agreed to by the facility; if the  
28 primary care physician finds that such care is medically  
29 necessary ~~it is in the best interest of the patient to do so;~~  
30 if the facility agrees to be reimbursed at the health  
31 maintenance organization's contract rate negotiated with  
similar providers for the same services and supplies; and if

1 the facility meets all guidelines established by the health  
2 maintenance organization related to quality of care,  
3 utilization, referral authorization, risk assumption, use of  
4 the health maintenance organization's network, and other  
5 criteria applicable to providers under contract for the same  
6 services and supplies. If a health maintenance organization  
7 enrolls a new subscriber who already resides in a continuing  
8 care facility or a retirement facility as described in this  
9 subsection, the health maintenance organization must provide  
10 in writing a disclosure of the subscriber's rights under this  
11 subsection. If a subscriber's request to be referred to the  
12 skilled nursing unit or assisted living facility that is part  
13 of the subscriber's place of residence is not honored, the  
14 subscriber may use the grievance process provided in s.  
15 641.511.

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