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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/21/2013	.	
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The Committee on Appropriations (Benacquisto) recommended the following:

Senate Substitute for Amendment (122406) (with title amendment)

Between lines 109 and 110
insert:

Section 4. Subsection (2) of section 627.6515, Florida Statutes, is amended to read:

627.6515 Out-of-state groups.—

(2) Except as otherwise provided in this part, this part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:



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13 (a) The policy is issued to an employee group the
14 composition of which is substantially as described in s.
15 627.653; a labor union group or association group the
16 composition of which is substantially as described in s.
17 627.654; an additional group the composition of which is
18 substantially as described in s. 627.656; a group insured under
19 a blanket health policy when the composition of the group is
20 substantially in compliance with s. 627.659; a group insured
21 under a franchise health policy when the composition of the
22 group is substantially in compliance with s. 627.663; an
23 association group to cover persons associated in any other
24 common group, which common group is formed primarily for
25 purposes other than providing insurance; a group that is
26 established primarily for the purpose of providing group
27 insurance, provided the benefits are reasonable in relation to
28 the premiums charged thereunder and the issuance of the group
29 policy has resulted, or will result, in economies of
30 administration; or a group of insurance agents of an insurer,
31 which insurer is the policyholder;

32 (b) Certificates evidencing coverage under the policy are
33 issued to residents of this state and contain in contrasting
34 color and not less than 10-point type the following statement:
35 "The benefits of the policy providing your coverage are governed
36 primarily by the law of a state other than Florida"; and

37 (c) The policy provides the benefits specified in ss.
38 627.419, 627.42391, 627.6574, 627.6575, 627.6579, 627.6612,
39 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and
40 627.66911, and complies with the requirements of s. 627.66996.

41 (d) Applications for certificates of coverage offered to



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42 residents of this state must contain, in contrasting color and
43 not less than 12-point type, the following statement on the same
44 page as the applicant's signature:

45
46 "This policy is primarily governed by the laws of
47 ...insert state where the master policy is filed....
48 As a result, all of the rating laws applicable to
49 policies filed in this state do not apply to this
50 coverage, which may result in increases in your
51 premium at renewal that would not be permissible under
52 a Florida-approved policy. Any purchase of individual
53 health insurance should be considered carefully, as
54 future medical conditions may make it impossible to
55 qualify for another individual health policy. For
56 information concerning individual health coverage
57 under a Florida-approved policy, consult your agent or
58 the Florida Department of Financial Services."

59
60 This paragraph applies only to group certificates providing
61 health insurance coverage which require individualized
62 underwriting to determine coverage eligibility for an individual
63 or premium rates to be charged to an individual except for the
64 following:

65 1. Policies issued to provide coverage to groups of persons
66 all of whom are in the same or functionally related licensed
67 professions, and providing coverage only to such licensed
68 professionals, their employees, or their dependents;

69 2. Policies providing coverage to small employers as
70 defined by s. 627.6699. Such policies shall be subject to, and



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71 governed by, the provisions of s. 627.6699;

72 3. Policies issued to a bona fide association, as defined
73 by s. 627.6571(5), provided that there is a person or board
74 acting as a fiduciary for the benefit of the members, and such
75 association is not owned, controlled by, or otherwise associated
76 with the insurance company; or

77 4. Any accidental death, accidental death and
78 dismemberment, accident-only, vision-only, dental-only, hospital
79 indemnity-only, hospital accident-only, cancer, specified
80 disease, Medicare supplement, products that supplement Medicare,
81 long-term care, or disability income insurance, or similar
82 supplemental plans provided under a separate policy,
83 certificate, or contract of insurance, which cannot duplicate
84 coverage under an underlying health plan, coinsurance, or
85 deductibles or coverage issued as a supplement to workers'
86 compensation or similar insurance, or automobile medical-payment
87 insurance.

88
89 ===== T I T L E A M E N D M E N T =====

90 And the title is amended as follows:

91 Delete line 14

92 and insert:

93 compliance with this act; amending s. 627.6515, F.S.;

94 adding a cross-reference to conform to changes made by

95 the act; providing a directive to the