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1 A bill to be entitled
2 An act relating to the Florida Health Choices Program;
3 amending s. 408.910, F.S.; revising eligibility
4 requirements for the Florida Health Choices Program;
5 revising the enrollment period for the initial
6 selection of products and services for individual
7 participants in the program; providing that the
8 Florida Insurance Code is not applicable in certain
9 circumstances; providing an appropriation; providing
10 an effective date.

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

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14 Section 1. Paragraphs (a), (b), (e), and (f) of subsection
15 (4) and paragraph (b) of subsection (7) of section 408.910,
16 Florida Statutes, are amended, and paragraph (c) is added to
17 subsection (10) of that section, to read:

18 408.910 Florida Health Choices Program.—

19 (4) ELIGIBILITY AND PARTICIPATION.—Participation in the
20 program is voluntary and shall be available to employers,
21 individuals, vendors, and health insurance agents as specified
22 in this subsection.

23 (a) Employers eligible to enroll in the program include
24 those employers:-

25 ~~1. Employers~~ that meet criteria established by the
26 corporation and elect to make their employees eligible through
27 the program.

28 ~~2. Fiscally constrained counties described in s. 218.67.~~

29 ~~3. Municipalities having populations of fewer than 50,000~~

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30 ~~residents.~~

31 ~~4. School districts in fiscally constrained counties.~~

32 ~~5. Statutory rural hospitals.~~

33 (b) Individuals eligible to participate in the program
34 include:

35 1. Individual employees of enrolled employers.

36 2. Other individuals that meet criteria established by the
37 corporation ~~State employees not eligible for state employee~~
38 ~~health benefits.~~

39 ~~3. State retirees.~~

40 ~~4. Medicaid participants who opt out.~~

41 (e) Eligible individuals may participate in the program
42 ~~voluntarily continue participation in the program regardless of~~
43 ~~subsequent changes in job status or Medicaid eligibility.~~

44 Individuals who join the program may participate by complying
45 with the procedures established by the corporation. These
46 procedures must include, but are not limited to:

47 1. Submission of required information.

48 2. Authorization for payroll deduction.

49 3. Compliance with federal tax requirements.

50 4. Arrangements for payment ~~in the event of job changes.~~

51 5. Selection of products and services.

52 (f) Vendors who choose to participate in the program may
53 enroll by complying with the procedures established by the
54 corporation. These procedures may include, but are not limited
55 to:

56 1. Submission of required information, including a complete
57 description of the coverage, services, provider network, payment
58 restrictions, and other requirements of each product offered

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59 through the program.

60 2. Execution of an agreement to comply with requirements
61 established by the corporation.

62 3. Execution of an agreement that prohibits refusal to sell
63 any offered ~~non-risk-bearing~~ product or service to a participant
64 who elects to buy it.

65 4. Establishment of product prices based on applicable
66 criteria ~~age, gender, and location of the individual~~
67 ~~participant, which may include medical underwriting.~~

68 5. Arrangements for receiving payment for enrolled
69 participants.

70 6. Participation in ongoing reporting processes established
71 by the corporation.

72 7. Compliance with grievance procedures established by the
73 corporation.

74 (7) THE MARKETPLACE PROCESS.—The program shall provide a
75 single, centralized market for purchase of health insurance,
76 health maintenance contracts, and other health products and
77 services. Purchases may be made by participating individuals
78 over the Internet or through the services of a participating
79 health insurance agent. Information about each product and
80 service available through the program shall be made available
81 through printed material and an interactive Internet website. A
82 participant needing personal assistance to select products and
83 services shall be referred to a participating agent in his or
84 her area.

85 (b) Initial selection of products and services must be made
86 by an individual participant within the applicable open
87 enrollment period ~~60 days after the date the individual's~~

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88 ~~employer qualified for participation. An individual who fails to~~
89 ~~enroll in products and services by the end of this period is~~
90 ~~limited to participation in flexible spending account services~~
91 ~~until the next annual enrollment period.~~

92 (10) EXEMPTIONS.—

93 (c) Any standard forms, website design, or marketing
94 communication developed by the corporation and used by the
95 corporation, or any vendor that meets the requirements of s.
96 408.910(4)(f) is not subject to the Florida Insurance Code, as
97 established in s. 624.01.

98 Section 2. For the 2013-2014 fiscal year, the sum of
99 \$900,000 in nonrecurring general revenue is appropriated to the
100 Agency for Health Care Administration to fund the general
101 administration and operations of the Florida Health Choices
102 Program.

103 Section 3. This act shall take effect July 1, 2013.