

# INTERIM UPDATE



**From December 5, 2017**

## **HEALTH CARE**

### **SB 162-Relating to Payment of Healthcare Claims**

On Tuesday, December 5th, SB 162, by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Banking and Insurance and passed by a vote of 10 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill prohibits health insurers and health maintenance organizations (HMOs) from retroactively denying a claim at any time if the insurer or HMO verified the eligibility of an insured or subscriber at the time of treatment and provided an authorization number, regardless of if the insured has paid their premiums prior to that claim rendering them ineligible for coverage.

SB 162 will go on to the Senate Committee on Health Policy for its next hearing.

**AIF opposes legislation requiring insurers to pay claims for all people, even those that have not paid their premiums because it would raise costs on employers who would be required to pay health care expenses of people who are no longer employees, and consumers would bear the burden of paying the high costs of fraud, waste and abuse that would occur in the system.**

### **SB 98-Relating to Health Insurer Authorization**

On Tuesday, December 5th, SB 98, by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Judiciary and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this bill.**

This legislation creates a standard process for the approval or denial of (1) prior authorizations and (2) step therapy ("fail-first") protocol exceptions. Currently, the many health insurance carriers in Florida employ robust policy product offerings containing medically-proven prior-authorization and step-therapy programs designed to reflect the protocols and standards of care, advanced and adopted by a vast array of specialty physicians based on their latest evidence-based research. These procedures and protocols allow for the use of the safest, most appropriate and most cost-effective drug, and permit progressing to other, more costly drugs with more sophisticated interactions and side-effects, in accordance with FDA approvals.

SB 98 will move on to the Senate Committee on Rules.

**AIF opposes this legislation as it would force insurers and consumers to purchase the most expensive drugs and treatments even when equally effective therapies are available at much lower costs.**

## LEGAL & JUDICIAL

### **SB 760-Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments**

On Tuesday, December 5th, SB 760, by Senator Aaron Bean (R-Jacksonville) was heard before the Senate Committee on Judiciary and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This legislation amends the Uniform Out-Of-Country Foreign Money - Judgment Recognition Act, codified in chapter 55 F.S., to add two additional permissive grounds for nonrecognition of a foreign money judgment by a Florida court. The Act currently provides three mandatory grounds for nonrecognition and eight permissive grounds for nonrecognition of a foreign judgment. Of the mandatory grounds that are similar to those in the bill, the Act requires nonrecognition where the foreign country's court system is systematically unfair, failing to provide impartial tribunals and compatible due process of law.

The bill adds two permissive grounds for when a Florida court may decline to recognize a foreign judgment on more individualized due process grounds:

- There is "substantial doubt" about the "integrity" of the particular foreign court that rendered the judgment.
- The particular foreign court that rendered the judgment failed to afford due process in the proceedings.

SB 760 will go on to the Senate Committee on Commerce and Tourism to be heard.

**AIF SUPPORTS legislation to clarify existing law and protect Florida businesses from foreign judgments that are not compatible with the requirements of due process of law.**