

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Fresen offered the following:

**Amendment (with title amendment)**

Between lines 1833 and 1834, insert:

Section 31. Subsection (3) is added to section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(3) WELLNESS PROGRAMS.—An insurer issuing a group or individual health benefit plan may offer a voluntary wellness or health-improvement program that allows for rewards or incentives, including, but not limited to, merchandise, gift cards, debit cards, premium discounts or rebates, contributions towards a member's health savings account, modifications to copayment, deductible, or coinsurance amounts, or any combination of these incentives, to encourage or reward

949699

Approved For Filing: 4/21/2010 6:07:31 PM

Amendment No.

17 participation in the program. The health plan member may be  
18 required to provide verification, such as a statement from his  
19 or her physician, that a medical condition makes it unreasonably  
20 difficult or medically inadvisable for the individual to  
21 participate in the wellness program. Any reward or incentive  
22 established under this subsection is not an insurance benefit  
23 and does not violate this section. This subsection does not  
24 prohibit an insurer from offering incentives or rewards to  
25 members for adherence to wellness or health improvement programs  
26 if otherwise allowed by state or federal law.

27 -----  
28  
29 **T I T L E   A M E N D M E N T**

30 Remove line 181 and insert:

31 certain purposes; amending s. 626.9541, F.S.; authorizing  
32 an insurer offering a group or individual health benefit  
33 plan to offer a wellness program; authorizing rewards or  
34 incentives; providing that such rewards or incentives are  
35 not insurance benefits; providing for verification of a  
36 member's inability to participate for medical reasons;  
37 providing an effective date.