



INFORMATIONAL MEMORANDUM  
OIR-04-015M  
ISSUED  
OCTOBER 21, 2004

Florida Office of Insurance Regulation  
Kevin McCarty, Commissioner

To All Accident and Health Insurers, Health Maintenance Organizations,  
Discount Medical Plan Organizations in the State of Florida  
and  
Other Interested Parties

**Implementation of Chapter 636, Part II, Florida Statutes - "Discount Medical Plan Organizations"**

The purpose of this memorandum is to provide notice of the implementation of Chapter 636, Part II, Florida Statutes.

The 2004 Florida Legislature enacted House Bill (HB) 1629 that included the creation of Part II of Chapter 636, Florida Statutes, entitled "Discount Medical Plan Organizations," effective **January 1, 2005**.

This law states that after December 31, 2004, any person or entity transacting discount medical plan business in Florida, from Florida, or with Florida consumers must have obtained a license and filed all forms and rates and received necessary approvals. On an ongoing basis, the law provides standards for advertising and marketing materials:

A discount medical *plan* means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. Note that any *plan* that provides access with no fees, dues, charges, or other consideration is not a discount medical plan and is not subject to this legislation.

A discount medical plan *organization* means an entity, which, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. Note that any *organization* that provides access with no fees, dues, charges, or other consideration is not a discount medical plan organization and is not subject to this legislation.

The full text of Chapter 636, Part II, Florida Statutes may be found at:

<http://www.flsenate.gov/Statutes/index.cfm>

The application package can be obtained from the Office of Insurance Regulation's website at:

[http://www.floir.com/Sections/AppCoord/is\\_ac\\_DMPO.aspx](http://www.floir.com/Sections/AppCoord/is_ac_DMPO.aspx) or you may contact Application Coordination at (850) 413-2575.

Any questions regarding the form and rate filings or proposed Rules 690.202-203, F.A.C. may be addressed with the Bureau of Life & Health Forms and Rates at (850) 413-3152.

Any questions regarding the financial requirements may be addressed with the Bureau of Life & Health Insurer Solvency at (850) 413-3153, Managed Care Section.