



INFORMATIONAL MEMORANDUM
OIR-21-01M
ISSUED

October 15, 2021

Florida Office of Insurance Regulation
David Altmaier, Commissioner

**TO ALL HEALTH INSURERS AND HEALTH MAINTENANCE ORGANIZATIONS
AUTHORIZED TO DO BUSINESS IN FLORIDA**

~ Behavioral Health Care Services Coverage and Access ~

On June 21, 2021, Governor DeSantis signed House Bill 701 into law. The bill is now Chapter 2021-146, Laws of Florida, effective October 1, 2021. In response, the Florida Office of Insurance Regulation (OIR) is issuing this Informational Memorandum to all health insurers and managed care organizations authorized to do business in Florida to notify health entities of the passage of the legislation and provide guidance regarding new disclosure requirements. Access to necessary behavioral health care services is an important part of health care and House Bill 701 enhances awareness regarding the rights and resources Floridians have to behavioral health care services. OIR will continue to take an active role ensuring regulated entities provide awareness of essential behavioral health care services.

Behavioral Health Care Service Disclosures

House Bill 701 enhances the behavioral health care service disclosures for Florida consumers. Sections [627.4215](#), F.S. and [641.31085](#), F.S. require health insurers and managed care organizations to:

- Post a description of the federal and state requirements for coverage of behavioral health care services to their website as well as contact information and a hyperlink to the Department of Financial Services (DFS) Division of Consumer Services for the submission of inquiries or complaints relating to health insurer products or services regulated by the department or the office; and
- Annually provide a direct notice to consumers which must include a description of the federal and state requirements for coverage of behavioral health care services and the website address and statewide toll-free telephone number for the DFS Division of Consumer Services.

Insurers are advised that Chief Financial Officer (CFO) Jimmy Patronis announced a new [Mental Health Care Service](#) webpage on the DFS website, which aims to provide resources and assistance to mental health services for consumers. All health entities are encouraged to review their practices and procedures regarding access to behavioral health care services to ensure they are compliant with state and federal requirements.

If you have questions regarding this memorandum, please email InformationalMemoranda@flor.com and include "OIR-21-01M" in the subject line.