

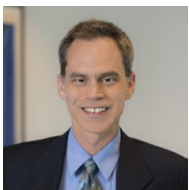


Effective July 1, 2018, a new provision of the Florida Insurance Code allows physicians, chiropractors, nurse practitioners and primary care group practices to furnish primary care services for a flat monthly fee directly to their patients or to employee groups and establishes parameters for direct primary care agreements. This legislation (HB 37) is described in our March 14, 2018 Alert, which we have updated to reflect Gov. Scott's approval on March 23.

This legislation provides that a direct primary care agreement is not subject to the Florida Insurance Code and will allow substantial flexibility for structuring direct primary care arrangements, so long as the primary care services are within the competency and training of the provider and the agreement is in writing and satisfies seven additional requirements. In particular, the direct primary care agreement must:

- Be signed by or on behalf of the provider and the patient or employer.
- Specify the duration of the agreement and any automatic renewal provisions.
- Allow termination upon 30 days written notice, or immediately if the physician-patient relationship is violated or the agreement is breached.
- Describe the scope of primary care services covered by the monthly fee.
- Specify the monthly fee as well as fees for any primary care services that are not covered by the monthly fee.
- Offer a refund if the provider ceases to offer primary care services.
- Contain specific wording, in contrasting color, explaining that the agreement is not insurance.

For more information, please contact one of the attorneys listed below.



RICK HINDMAND

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