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1 A bill to be entitled
 2 An act relating to health care coverage mandates;
 3 repealing s. 627.419(3) and (4), F.S.; relating to
 4 construction of policies requiring payment to
 5 chiropractors and podiatrists for services provided
 6 within scope of practice; repealing s. 627.4236, F.S.,
 7 relating to coverage for bone marrow transplant
 8 procedures; repealing s. 627.42395, F.S., relating to
 9 coverage for certain prescription and nonprescription
 10 enteral formulas; repealing s. 627.6403, F.S.,
 11 relating to payment of acupuncture benefits to
 12 certified acupuncturists; repealing s. 627.6407, F.S.,
 13 relating to payment of services provided by massage
 14 therapist; repealing s. 627.64193, F.S., relating to
 15 required coverage for cleft lip and cleft palate;
 16 repealing s. 627.6471(6), F.S., relating to mandated
 17 eligibility provision for participation in provider
 18 network by therapist, counselor, psychologist, or
 19 psychiatric nurse; repealing s. 627.6472(15), F.S.,
 20 relating to mandated eligibility provision for
 21 participation in provider network by therapist,
 22 counselor, psychologist, or psychiatric nurse;
 23 repealing s. 627.6617, F.S., relating to coverage for
 24 home health care services; repealing s. 627.6618,
 25 F.S., relating to payment of acupuncture benefits to
 26 certified acupuncturists; repealing s. 627.6619, F.S.,
 27 relating to payment of services provided by massage
 28 therapist; repealing s. 627.6686, F.S., relating to

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29 coverage for individuals with autism spectrum
 30 disorder; repealing s. 627.668, F.S., relating to
 31 optional coverage for mental and nervous disorders;
 32 repealing s. 627.669, F.S., relating to optional
 33 coverage required for substance abuse impaired
 34 persons; repealing s. 627.66911, F.S., relating to
 35 required coverage for cleft lip and cleft palate;
 36 repealing s. 641.31(24), (35) and (37), F.S., relating
 37 to payment for treatment at an osteopathic hospital in
 38 certain circumstances, required coverage for cleft lip
 39 and cleft palate, and payment for services provided by
 40 massage therapist; repealing s. 641.31098, F.S.,
 41 relating to coverage for individuals with
 42 developmental disabilities; amending ss. 409.815,
 43 F.S.; 409.906, F.S.; 624.916, F.S.; 627.6472, F.S.;
 44 627.6515, F.S.; 627.6675, F.S.; 627.6699, F.S.;
 45 641.2018, F.S.; and 1002.66, F.S.; conforming cross-
 46 references; providing an effective date.

47
 48 Be It Enacted by the Legislature of the State of Florida:

49 Section 1. Subsections (3) and (4) of section 627.419,
 50 Florida Statutes, are repealed.

51 Section 2. Section 627.4236, Florida Statutes, is
 52 repealed.

53 Section 3. Section 627.42395, Florida Statutes, is
 54 repealed.

55 Section 4. Section 627.6403, Florida Statutes, is
 56 repealed.

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- 57 Section 5. Section 627.6407, Florida Statutes, is
58 repealed.
- 59 Section 6. Section 627.64193, Florida Statutes, is
60 repealed.
- 61 Section 7. Subsection (6) of section 627.6471, Florida
62 Statutes, is repealed.
- 63 Section 8. Subsection (15) of section 627.6472, Florida
64 Statutes, is repealed.
- 65 Section 9. Section 627.6617, Florida Statutes, is
66 repealed.
- 67 Section 10. Section 627.6618, Florida Statutes, is
68 repealed.
- 69 Section 11. Section 627.6619, Florida Statutes, is
70 repealed.
- 71 Section 12. Section 627.668, Florida Statutes, is
72 repealed.
- 73 Section 13. Section 627.6686, Florida Statutes, is
74 repealed.
- 75 Section 14. Section 627.669, Florida Statutes, is
76 repealed.
- 77 Section 15. Section 627.66911, Florida Statutes, is
78 repealed.
- 79 Section 16. Subsections (24), (35), and (37) of section
80 641.31, Florida Statutes, are repealed.
- 81 Section 17. Section 641.31098, Florida Statutes, is
82 repealed.
- 83 Section 18. Paragraph (e) of subsection (2) of section
84 409.815, Florida Statutes, is amended to read:

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85 409.815 Health benefits coverage; limitations.-

86 (2)

87 (e) Organ transplantation services.-Covered services
 88 include pretransplant, transplant, and postdischarge services
 89 and treatment of complications after transplantation for
 90 transplants deemed necessary and appropriate within the
 91 guidelines set by the Organ Transplant Advisory Council under s.
 92 765.53 ~~or the Bone Marrow Transplant Advisory Panel under s.~~
 93 ~~627.4236.~~

94 Section 19. Subsection (26) of section 409.906, Florida
 95 Statutes, is amended to read:

96 409.906 Optional Medicaid services.-

97 (26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM
 98 DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.-The agency is
 99 authorized to seek federal approval through a Medicaid waiver or
 100 a state plan amendment for the provision of occupational
 101 therapy, speech therapy, physical therapy, behavior analysis,
 102 and behavior assistant services to individuals who are 5 years
 103 of age and under and have a diagnosed developmental disability
 104 as defined in s. 393.063, autism spectrum disorder ~~as defined in~~
 105 ~~s. 627.6686~~, or Down syndrome, a genetic disorder caused by the
 106 presence of extra chromosomal material on chromosome 21. Causes
 107 of the syndrome may include Trisomy 21, Mosaicism, Robertsonian
 108 Translocation, and other duplications of a portion of chromosome
 109 21. Coverage for such services shall be limited to \$36,000
 110 annually and may not exceed \$108,000 in total lifetime benefits.
 111 The agency shall submit an annual report beginning on January 1,
 112 2009, to the President of the Senate, the Speaker of the House

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113 of Representatives, and the relevant committees of the Senate
 114 and the House of Representatives regarding progress on obtaining
 115 federal approval and recommendations for the implementation of
 116 these home and community-based services. The agency may not
 117 implement this subsection without prior legislative approval.

118 Section 20. Paragraph (b) of subsection (6) and paragraph
 119 (c) of subsection (8) of section 624.916, Florida Statutes, is
 120 amended to read:

121 624.916 Developmental disabilities compact.—

122 (6) Beginning February 15, 2009, and continuing annually
 123 thereafter, the Office of Insurance Regulation shall provide a
 124 report to the Governor, the President of the Senate, and the
 125 Speaker of the House of Representatives regarding the
 126 implementation of the agreement negotiated under this section.
 127 The report shall include:

128 (b) An analysis of the coverage provided under the
 129 agreement ~~in comparison to the coverage required under ss.~~
 130 ~~627.6686 and 641.31098.~~

131 (8) As used in this section, the term "developmental
 132 disabilities" includes:

133 (c) Autism spectrum disorder, ~~as defined in s. 627.6686.~~

134 Section 21. Paragraph (c) of subsection (1) of section
 135 627.6472, Florida Statutes, is amended to read:

136 627.6472 Exclusive provider organizations.—

137 (1) As used in this section, the term:

138 (c) "Exclusive provider" means a provider of health care,
 139 or a group of providers of health care, that has entered into a
 140 written agreement with the insurer to provide benefits under a

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141 health insurance policy issued under this section, ~~which~~
 142 ~~agreement shall include any health care provider listed in s.~~
 143 ~~627.419(3) and (4) and shall provide reasonable access to such~~
 144 ~~health care providers.~~

145 Section 22. Paragraph (c) of subsection (2) of section
 146 627.6515, Florida Statutes, is amended to read:

147 627.6515 Out-of-state groups.—

148 (2) Except as otherwise provided in this part, this part
 149 does not apply to a group health insurance policy issued or
 150 delivered outside this state under which a resident of this
 151 state is provided coverage if:

152 (c) The policy provides the benefits specified in ss.
 153 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
 154 627.66122, 627.6613, 627.667, 627.6675, and 627.6691, ~~and~~
 155 ~~627.66911~~, and complies with the requirements of s. 627.66996.

156 Section 23. Subsection (8) of section 627.6675, Florida
 157 Statutes, is amended to read:

158 627.6675 Conversion on termination of eligibility.—

159 (8) BENEFITS OFFERED.—

160 (a) An insurer shall not be required to issue a converted
 161 policy that provides benefits in excess of those provided under
 162 the group policy from which conversion is made.

163 ~~(b) An insurer shall offer the benefits specified in s.~~
 164 ~~627.668 and the benefits specified in s. 627.669 if those~~
 165 ~~benefits were provided in the group plan.~~

166 (b)(e) An insurer shall offer maternity benefits and
 167 dental benefits if those benefits were provided in the group
 168 plan.

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169 Section 24. Paragraph (b) of subsection (12) of section
 170 627.6699, Florida Statutes, is amended to read:

171 627.6699 Employee Health Care Access Act.—

172 (12) STANDARD, BASIC, HIGH DEDUCTIBLE, AND LIMITED HEALTH
 173 BENEFIT PLANS.—

174 (b)7. Sections 627.419(2), ~~(3), and (4)~~, 627.6574,
 175 627.6612, 627.66121, 627.66122, and 627.6616, ~~627.6618, 627.668,~~
 176 ~~and 627.66911~~ apply to the standard health benefit plan and to
 177 the basic health benefit plan. However, notwithstanding said
 178 provisions, the plans may specify limits on the number of
 179 authorized treatments, if such limits are reasonable and do not
 180 discriminate against any type of provider.

181 Section 25. Subsection (1) of section 641.2018, Florida
 182 Statutes, is amended to read:

183 641.2018 Limited coverage for home health care
 184 authorized.—

185 (1) Notwithstanding other provisions of this chapter, a
 186 health maintenance organization may issue a contract that limits
 187 coverage to home health care services only. The organization and
 188 the contract shall be subject to all of the requirements of this
 189 part that do not require or otherwise apply to specific benefits
 190 other than home care services. To this extent, all of the
 191 requirements of this part apply to any organization or contract
 192 that limits coverage to home care services, except the
 193 requirements for providing comprehensive health care services as
 194 provided in ss. 641.19(4), (11), and (12), and 641.31(1), except
 195 ss. 641.31(9), (12), (17), (18), (19), (20), (21), and ~~(24)~~ and
 196 641.31095.

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197 Section 26. Paragraph (a) of subsection (2) of section
 198 1002.66, Florida Statutes, is amended, and subsequent paragraphs
 199 are renumbered, to read:

200 1002.66 Specialized instructional services for children
 201 with disabilities.—

202 (2) The parent of a child who is eligible for the
 203 prekindergarten program for children with disabilities may
 204 select one or more specialized instructional services that are
 205 consistent with the child's individual educational plan. These
 206 specialized instructional services may include, but are not
 207 limited to:

208 ~~(a) Applied behavior analysis as defined in ss. 627.6686~~
 209 ~~and 641.31098.~~

210 Section 27. This act shall take effect July 1, 2012.