

By the Committee on Insurance and Representatives Bense, Goode, Maygarden, Futch, Ritter, Logan, Jones, Warner, Flanagan, Rayson, Healey, Fuller, Kelly, Peaden, Andrews, Waters, Brummer, Ritchie, Russell, Goodlette, Fasano, Jacobs, Posey, Crow, Bilirakis and Levine

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A bill to be entitled
An act relating to organ transplants; providing a short title; amending s. 381.0602, F.S.; increasing membership of the Organ Transplant Advisory Council; increasing the term of the council chair; amending s. 627.4236, F.S.; requiring that coverage for bone-marrow-transplant procedures include costs of the donor patient; providing a limitation; providing a legislative finding of an important state interest; providing an effective date.

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

Section 1. This act may be cited as the "Senator Pat Thomas Bone Marrow Transplant Act."

Section 2. Subsections (1) and (4) of section 381.0602, Florida Statutes, are amended to read:

381.0602 Organ Transplant Advisory Council; membership; responsibilities.--

(1) There is hereby created within the Agency for Health Care Administration a statewide technical Organ Transplant Advisory Council consisting of twelve ~~eight~~ members to represent the interests of the public and the clients of the Department of Health or the agency. The members shall be physicians licensed according to chapter 458 or chapter 459. A person employed by the agency may not be appointed as a member of the council.

(4) The members of the council shall elect a chairperson. The term of the chairperson shall be for 2 years

1 ~~1~~ year, and an individual may not serve as chairperson for
2 more than two consecutive terms.

3 Section 3. Subsection (2) of section 627.4236, Florida
4 Statutes, is amended to read:

5 627.4236 Coverage for bone marrow transplant
6 procedures.--

7 (2) An insurer or a health maintenance organization
8 may not exclude coverage for bone marrow transplant procedures
9 recommended by the referring physician and the treating
10 physician under a policy exclusion for experimental, clinical
11 investigative, educational, or similar procedures contained in
12 any individual or group health insurance policy or health
13 maintenance organization contract issued, amended, delivered,
14 or renewed in this state that covers treatment for cancer, if
15 the particular use of the bone marrow transplant procedure is
16 determined to be accepted within the appropriate oncological
17 specialty and not experimental pursuant to subsection (3).

18 Covered bone-marrow-transplant procedures must include costs
19 associated with the donor-patient to the same extent and
20 limitations as costs associated with the insured, except the
21 reasonable costs of searching for the donor may be limited to
22 immediate family members and the National Bone Marrow Donor
23 Program.

24 Section 4. The Legislature finds that the provisions
25 of this act fulfill an important state interest.

26 Section 5. This act shall take effect January 1, 2000.
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