Florida Senate - 2007

By the Committee on Banking and Insurance; and Senators Hill, Justice, Argenziano, Peaden, Bullard, Wise, Dawson, Siplin, Bennett, Posey, Storms, Joyner, Lynn, Margolis, Jones and Lawson

597-2115-07 1 A bill to be entitled 2 An act relating to health insurance; creating 3 the "Senator Les Miller Act"; creating ss. 4 627.64091 and 627.6418, F.S., and amending s. 641.31, F.S.; requiring that health insurance 5 б policies, group health insurance policies, and 7 health maintenance contracts provide coverage 8 for an annual screening for prostate cancer for 9 men of a specified age or older; providing 10 requirements for the screening; providing that coverage for prostate cancer screening does not 11 12 limit diagnostic benefits otherwise allowed 13 under the policy; amending s. 627.6515, F.S.; providing for the benefit requirement to apply 14 to a group health insurance policy issued or 15 16 delivered outside the state; providing a 17 finding that the act fulfills an important 18 state interest; providing for application of the act; providing an effective date. 19 20 21 Be It Enacted by the Legislature of the State of Florida: 22 23 Section 1. This act may be cited as the "Senator Les 2.4 Miller Act." 25 Section 2. Section 627.64091, Florida Statutes, is created to read: 26 27 627.64091 Coverage for prostate cancer screening.--2.8 (1) A health insurance policy providing coverage to a man age 40 or older must provide coverage for annual screening 29 for prostate cancer for such a man in accordance with the 30 31

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1 prostate cancer early detection guidelines of the National 2 Comprehensive Cancer Network. (2) The coverage for prostate cancer screening shall 3 4 consist, at a minimum, of the following tests: 5 (a) Prostate-specific antigen blood test; and б (b) Digital rectal examination. 7 (3) If a licensed medical practitioner recommends that 8 an insured undergo a prostate-specific antigen blood test, 9 coverage may not be denied because that person previously had a digital rectal exam and the exam results were negative. 10 (4) The benefits required by this section do not limit 11 12 diagnostic benefits otherwise allowable under the policy. 13 Section 3. Paragraph (c) of subsection (2) of section 627.6515, Florida Statutes, is amended to read: 14 627.6515 Out-of-state groups.--15 (2) Except as otherwise provided in this part, this 16 17 part does not apply to a group health insurance policy issued 18 or delivered outside this state under which a resident of this state is provided coverage if: 19 (c) The policy provides the benefits specified in ss. 20 21 627.419, <u>627.6418,</u> 627.6574, 627.6575, 627.6579, 627.6612, 22 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, 23 and 627.66911. Section 4. Section 627.6418, Florida Statutes, is 2.4 created to read: 25 627.6418 Coverage for prostate cancer screening .--26 27 (1) A group health insurance policy which provides 2.8 coverage to a man age 40 or older must provide coverage for annual screening for prostate cancer for such a man in 29 accordance with the prostate cancer early detection guidelines 30 of the National Comprehensive Cancer Network. 31

1 (2) The coverage for prostate cancer screening shall 2 consist, at a minimum, of the following tests: 3 (a) Prostate-specific antigen blood test; and 4 (b) Digital rectal examination. 5 (3) If a licensed medical practitioner recommends that 6 an insured undergo a prostate-specific antigen blood test, 7 coverage may not be denied because that person previously had 8 a digital rectal exam and the exam results were negative. 9 (4) The benefits required by this section do not limit 10 diagnostic benefits otherwise allowable under the policy. Section 5. Subsection (41) is added to section 641.31, 11 12 Florida Statutes, to read: 13 641.31 Health maintenance contracts.--(41)(a) A health maintenance organization contract 14 which provides coverage to a man age 40 or older must provide 15 coverage for annual screening for prostate cancer for such a 16 17 man in accordance with the prostate cancer early detection 18 guidelines of the National Comprehensive Cancer Network. 19 (b) The coverage for prostate cancer screening shall consist, at a minimum, of the following tests: 2.0 21 1. Prostate-specific antigen blood test; and Digital rectal examination. 2.2 2. 23 (c) If a licensed medical practitioner recommends that a subscriber undergo a prostate-specific antigen blood test, 2.4 coverage may not be denied because that person previously had 25 a digital rectal exam and the exam results were negative. 26 27 (d) The benefits required by this subsection do not 2.8 limit diagnostic benefits otherwise allowable under the 29 contract. 30 Section 6. The Legislature finds that the provisions of this act fulfill an important state interest. 31

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CS for SB 110

1 Section 7. This act shall take effect January 1, 2008, 2 and shall apply to policies or contracts issued or renewed on 3 or after that date. 4 5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR б Senate Bill 110 7 8 The Committee Substitute provides the following changes: 9 Limits the application of the insurance health benefit 1. mandate to individual and group insurance policies and 10 HMO contracts. Clarifies that the coverage required in this bill must be 11 2. provided and not merely offered. 12 Eliminates the provision that such coverage is not 3. 13 subject to any deductible in the policy or contract. Names the act the "Senator Les Miller Act." 14 4. Specifies that the bill fulfills an important state 15 5. interest. 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31