

By Senator Sobel

31-01287-12

20121320__

1 A bill to be entitled
2 An act relating to orthoses and prostheses; requiring
3 the Agency for Health Care Administration to conduct a
4 study concerning the medical necessity, costs, and
5 efficacy of mandating coverage for certain orthoses
6 and prostheses; requiring that the agency report its
7 findings and recommendations to the Legislature;
8 requiring the Office of Insurance Regulation and the
9 Department of Health to provide certain assistance;
10 providing an appropriation; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. (1) The Agency for Health Care Administration,
16 in consultation with the Office of Insurance Regulation, shall
17 conduct a study evaluating the medical necessity, efficacy, and
18 costs of requiring health insurers and health maintenance
19 organizations to provide coverage for benefits for orthoses and
20 prostheses and orthotics and prosthetics as defined in s.
21 468.80, Florida Statutes, that equal those benefits provided for
22 under federal laws for health insurance for the aged and
23 disabled pursuant to 42 U.S.C. ss. 1395k and 1395m and 42 C.F.R.
24 ss. 414.202, 414.210, 414.228, and 410.100 as applicable to this
25 act. The agency and office shall evaluate whether gaps in
26 coverage currently exist in the small and large group insurance
27 markets for such orthoses and prostheses. The agency shall
28 provide information concerning the types of benefits, including
29 the cost of such benefits, provided to Medicaid recipients for

31-01287-12

20121320__

30 orthoses and prostheses.

31 (2) The Department of Health shall coordinate with the
32 agency to provide such information concerning coverage and the
33 costs of providing such coverage to children requiring orthoses
34 and prostheses who are enrolled in the Children's Medical
35 Services Program. The agency, in consultation with the office,
36 may contract with an actuary who is a member of the American
37 Academy of Actuaries and other persons who have an extensive
38 background in health insurance for the purpose of assisting the
39 agency in evaluating the medical necessity, efficacy, and costs
40 of such coverage. The agency shall report its findings and
41 recommendations related to mandating insurance coverage for the
42 orthoses and prostheses to the President of the Senate and the
43 Speaker of the House of Representatives by January 1, 2013.

44 Section 2. For the 2012-2013 fiscal year, the sum of
45 \$25,000 is appropriated in nonrecurring funds from the Insurance
46 Regulatory Trust Fund to the Office of Insurance Regulation for
47 the purpose of funding the study conducted by the Agency for
48 Health Care Administration as provided in this act.

49 Section 3. This act shall take effect July 1, 2012.