



379122

LEGISLATIVE ACTION

Senate

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House

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Floor: 1a/WD/RM

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03/21/2016 10:43 AM

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Senator Garcia moved the following:

1           **Senate Amendment to Amendment (253290) (with title**  
2 **amendment)**

3  
4           Delete lines 5 - 30

5 and insert:

6           Section 1. Paragraph (b) of subsection (3) of section  
7 627.6686, Florida Statutes, is amended to read:

8           627.6686 Coverage for individuals with autism spectrum  
9 disorder required; exception.—

10           (3) A health insurance plan issued or renewed on or after  
11 April 1, 2009, shall provide coverage to an eligible individual



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12 for:

13 (b) Treatment of autism spectrum disorder and Down syndrome  
14 through speech therapy, occupational therapy, physical therapy,  
15 and applied behavior analysis. Applied behavior analysis  
16 services shall be provided by an individual certified pursuant  
17 to s. 393.17 or an individual licensed under chapter 490 or  
18 chapter 491.

19 Section 2. Paragraph (b) of subsection (3) of section  
20 641.31098, Florida Statutes, is amended to read:

21 641.31098 Coverage for individuals with developmental  
22 disabilities.-

23 (3) A health maintenance contract issued or renewed on or  
24 after April 1, 2009, shall provide coverage to an eligible  
25 individual for:

26 (b) Treatment of autism spectrum disorder and Down  
27 syndrome, through speech therapy, occupational therapy, physical  
28 therapy, and applied behavior analysis services. Applied  
29 behavior analysis services shall be provided by an individual  
30 certified pursuant to s. 393.17 or an individual licensed under  
31 chapter 490 or chapter 491.

32 Section 3. Notwithstanding the enactment of subsection (2)  
33 made to s. 627.42392, Florida Statutes, by HB 423, 1st Eng.,  
34 2016 Regular Session, subsection (2) of s. 627.42392, Florida  
35 Statutes, is enacted to read:

36 (2) Notwithstanding any other provision of law,  
37 effective January 1, 2017 or six (6) months after the effective  
38 date of the rule adopting the prior authorization form,  
39 whichever is later, a health insurer, or a pharmacy benefits  
40 manager on behalf of the health insurer, which does not provide



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41 an electronic prior authorization process for use by its  
42 contracted providers, shall only use the prior authorization  
43 form that has been approved by the Financial Services  
44 Commission for granting a prior authorization for a medical  
45 procedure, course of treatment, or prescription drug benefit.  
46 Such form may not exceed two pages in length, excluding any  
47 instructions or guiding documentation, and must include all  
48 clinical documentation necessary for health insurer to make a  
49 decision. At a minimum, the form must include: (1) sufficient  
50 patient information to identify the member, date of birth, full  
51 name, and Health Plan ID number; (2) Provider name, address and  
52 phone number; (3) the medical procedure, course of treatment, or  
53 prescription drug benefit being requested, including the medical  
54 reason therefor, and all services tried and failed; (4) any  
55 laboratory documentation required; and (5) an attestation that  
56 all information provided is true and accurate.

57 Section 4. It is the intent of the Legislature that the  
58 enactment of s. 627.42392(2), Florida Statutes, made by this act  
59 shall control over the enactment of that subsection made by HB  
60 423, 1st Eng., 2016 Regular Session, regardless of the order in  
61 which the bills are enacted.

62  
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 335 - 339

66 and insert:

67 plan to provide specified coverage for treatment of  
68 Down syndrome; amending s. 641.31098, F.S.; requiring  
69 a specified health maintenance contract to provide



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70 specified health maintenance contract to provide  
71 specified coverage for treatment of Down syndrome;  
72 enacting s. 627.42392, F.S.; requiring a health  
73 insurer or a pharmacy benefits manager to only use a  
74 certain form; providing requirements for such form;  
75 providing legislative intent that the enactment of s.  
76 627.42392(2), F.S., made by this act controls;  
77 amending s. 627.6131, F.S.;