

By the Committee on Health Care Standards & Regulatory Reform and Representatives Safley, Chestnut, Ziebarth, D. Prewitt, Kelly, Ball, Ritter, Horan, Jacobs, Dawson-White, Peaden, Fasano, Maygarden, Frankel, Bush, Casey, Murman, (Additional Sponsors on Last Printed Page)

1 A bill to be entitled
 2 An act relating to dental insurance coverage;
 3 creating ss. 627.4295 and 627.65755, F.S., and
 4 amending ss. 627.6471, 627.6472, 627.6515, and
 5 641.31, F.S.; requiring health insurance
 6 policies and contracts to provide coverage for
 7 general anesthesia and hospitalization for
 8 certain persons under certain circumstances;
 9 providing application; providing exceptions;
 10 providing a declaration of important state
 11 interest; providing application; providing an
 12 effective date.

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

15
 16 Section 1. Section 627.4295, Florida Statutes, is
 17 created to read:

18 627.4295 Dental procedures; anesthesia and
 19 hospitalization coverage.--For purposes of this section,
 20 dental treatment or surgery shall be considered necessary when
 21 the dental condition is likely to result in a medical
 22 condition if left untreated. Any individual health insurance
 23 policy sold in this state which provides coverage for general
 24 anesthesia and hospitalization services to a covered person
 25 shall not preclude such coverage in assuring the safe delivery
 26 of necessary dental care provided to a covered person who:

27 (1) Is under 8 years of age and is determined by a
 28 licensed dentist, in consultation with the child's physician
 29 licensed under chapter 458 or chapter 459, to require
 30 necessary dental treatment in a hospital or ambulatory
 31 surgical center due to a significantly complex dental

1 condition or a developmental disability in which patient
2 management in the dental office has proved to be ineffective;
3 or
4 (2) Has one or more medical conditions that would
5 create significant or undue medical risk for the individual in
6 the course of delivery of any necessary dental treatment or
7 surgery if not rendered in a hospital or ambulatory surgical
8 center.

9
10 As provided herein, all terms and conditions of the covered
11 person's health insurance policy shall apply to such services.
12 An insurer may require prior authorization of hospitalization
13 for dental care in the same manner the insurer requires prior
14 authorization for hospitalization for other covered services.
15 This section shall not apply to Medicare supplement, long-term
16 care, disability, limited benefit, or specified disease
17 policies.

18 Section 2. Subsection (6) is added to section
19 627.6471, Florida Statutes, to read:

20 627.6471 Contracts for reduced rates of payment;
21 limitations; coinsurance and deductibles.--

22 (6) For purposes of this subsection, dental treatment
23 or surgery shall be considered necessary when the dental
24 condition is likely to result in a medical condition if left
25 untreated. Any preferred provider organization contract which
26 provides coverage for general anesthesia and hospitalization
27 services to a covered person shall not preclude such coverage
28 in assuring the safe delivery of necessary dental care
29 provided to a covered person who:

30 (a) Is under 8 years of age and is determined by a
31 licensed dentist, in consultation with the child's physician

1 licensed under chapter 458 or chapter 459, to require
2 necessary dental treatment in a hospital or ambulatory
3 surgical center due to a significantly complex dental
4 condition or a developmental disability in which patient
5 management in the dental office has proved to be ineffective;
6 or
7 (b) Has one or more medical conditions that would
8 create significant or undue medical risk for the individual in
9 the course of delivery of any necessary dental treatment or
10 surgery if not rendered in a hospital or ambulatory surgical
11 center.

12
13 As provided herein, all terms and conditions of the covered
14 person's preferred provider organization contract shall apply
15 to such services. A preferred provider organization may
16 require prior authorization of hospitalization for dental care
17 in the same manner the organization requires prior
18 authorization for hospitalization for other covered services.
19 This section shall not apply to Medicare supplement, long-term
20 care, disability, limited benefit, or specified disease
21 policies.

22 Section 3. Subsection (17) is added to section
23 627.6472, Florida Statutes, to read:

24 627.6472 Exclusive provider organizations.--

25 (17) For purposes of this subsection, dental treatment
26 or surgery shall be considered necessary when the dental
27 condition is likely to result in a medical condition if left
28 untreated. Any exclusive provider organization contract which
29 provides coverage for general anesthesia and hospitalization
30 services to a covered person shall not preclude such coverage
31

1 in assuring the safe delivery of necessary dental care
2 provided to a covered person who:
3 (a) Is under 8 years of age and is determined by a
4 licensed dentist, in consultation with the child's physician
5 licensed under chapter 458 or chapter 459, to require
6 necessary dental treatment in a hospital or ambulatory
7 surgical center due to a significantly complex dental
8 condition or a developmental disability in which patient
9 management in the dental office has proved to be ineffective;
10 or
11 (b) Has one or more medical conditions that would
12 create significant or undue medical risk for the individual in
13 the course of delivery of any necessary dental treatment or
14 surgery if not rendered in a hospital or ambulatory surgical
15 center.
16
17 As provided herein, all terms and conditions of the covered
18 person's exclusive provider organization contract shall apply
19 to such services. An exclusive provider organization may
20 require prior authorization of hospitalization for dental care
21 in the same manner the organization requires prior
22 authorization for hospitalization for other covered services.
23 This section shall not apply to Medicare supplement, long-term
24 care, disability, limited benefit, or specified disease
25 policies.
26 Section 4. Subsection (8) is added to section
27 627.6515, Florida Statutes, to read:
28 627.6515 Out-of-state groups.--
29 (8) For purposes of this subsection, dental treatment
30 or surgery shall be considered necessary when the dental
31 condition is likely to result in a medical condition if left

1 untreated. Any group, franchise, or blanket health insurance
2 policy issued or delivered outside this state, under which
3 policy a resident of this state is provided coverage for
4 general anesthesia and hospitalization services to a covered
5 person, shall not preclude such coverage in assuring the safe
6 delivery of necessary dental care provided to a covered person
7 who:

8 (a) Is under 8 years of age and is determined by a
9 licensed dentist, in consultation with the child's physician
10 licensed under chapter 458 or chapter 459, to require
11 necessary dental treatment in a hospital or ambulatory
12 surgical center due to a significantly complex dental
13 condition or a developmental disability in which patient
14 management in the dental office has proved to be ineffective;
15 or

16 (b) Has one or more medical conditions that would
17 create significant or undue medical risk for the individual in
18 the course of delivery of any necessary dental treatment or
19 surgery if not rendered in a hospital or ambulatory surgical
20 center.

21
22 As provided herein, all terms and conditions of the covered
23 person's health insurance policy shall apply to such services.
24 An insurer may require prior authorization of hospitalization
25 for dental care in the same manner the insurer requires prior
26 authorization for hospitalization for other covered services.
27 This section shall not apply to Medicare supplement, long-term
28 care, disability, limited benefit, or specified disease
29 policies.

30 Section 5. Section 627.65755, Florida Statutes, is
31 created to read:

1 627.65755 Dental procedures; anesthesia and
2 hospitalization coverage.--For purposes of this section,
3 dental treatment or surgery shall be considered necessary when
4 the dental condition is likely to result in a medical
5 condition if left untreated. Any group, blanket, or franchise
6 health insurance policy sold in this state which provides
7 coverage for general anesthesia and hospitalization services
8 to a covered person shall not preclude such coverage in
9 assuring the safe delivery of necessary dental care provided
10 to a covered person who:

11 (1) Is under 8 years of age and is determined by a
12 licensed dentist, in consultation with the child's physician
13 licensed under chapter 458 or chapter 459, to require
14 necessary dental treatment in a hospital or ambulatory
15 surgical center due to a significantly complex dental
16 condition or a developmental disability in which patient
17 management in the dental office has proved to be ineffective;
18 or

19 (2) Has one or more medical conditions that would
20 create significant or undue medical risk for the individual in
21 the course of delivery of any necessary dental treatment or
22 surgery if not rendered in a hospital or ambulatory surgical
23 center.

24
25 As provided herein, all terms and conditions of the covered
26 person's health insurance policy shall apply to such services.
27 An insurer may require prior authorization of hospitalization
28 for dental care in the same manner the insurer requires prior
29 authorization for hospitalization for other covered services.
30 This section shall not apply to Medicare supplement, long-term
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1 care, disability, limited benefit, or specified disease
2 policies.

3 Section 6. Subsection (34) is added to section 641.31,
4 Florida Statutes, to read:

5 641.31 Health maintenance contracts.--

6 (34) For purposes of this subsection, dental treatment
7 or surgery shall be considered necessary when the dental
8 condition is likely to result in a medical condition if left
9 untreated. Any health maintenance organization contract which
10 provides coverage for general anesthesia and hospitalization
11 services to a covered person shall not preclude such coverage
12 in assuring the safe delivery of necessary dental care
13 provided to a covered person who:

14 (a) Is under 8 years of age and is determined by a
15 licensed dentist, in consultation with the child's physician
16 licensed under chapter 458 or chapter 459, to require
17 necessary dental treatment in a hospital or ambulatory
18 surgical center due to a significantly complex dental
19 condition or a developmental disability in which patient
20 management in the dental office has proved to be ineffective;
21 or

22 (b) Has one or more medical conditions that would
23 create significant or undue medical risk for the individual in
24 the course of delivery of any necessary dental treatment or
25 surgery if not rendered in a hospital or ambulatory surgical
26 center.

27
28 As provided herein, all terms and conditions of the covered
29 person's health maintenance organization contract shall apply
30 to such services. A health maintenance organization may
31 require prior authorization of hospitalization for dental care

1 in the same manner the organization requires prior
2 authorization for hospitalization for other covered services.
3 This section shall not apply to Medicare supplement, long-term
4 care, disability, limited benefit, or specified disease
5 policies.

6 Section 7. The provisions of this act fulfill an
7 important state interest in that they promote the relief,
8 alleviation, and prevention of health, dental, or medical
9 problems associated with inadequate dental care.

10 Section 8. This act shall take effect October 1 of the
11 year in which enacted and shall apply to any policy issued,
12 written, or renewed, or contract entered into, on or after
13 such date.

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18 ADDITIONAL SPONSORS

19 Sanderson, Lippman, Minton, Bitner, Sublette, Fischer, Goode,
20 Morroni, Thrasher, Brennan, Wiles, Saunders, Brooks, Ritchie,
21 Burroughs, Stabins and Carlton
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