

1 A bill to be entitled
2 An act relating to organ transplants; amending
3 s. 381.0602, F.S.; increasing membership of the
4 Organ Transplant Advisory Council; increasing
5 the term of the council chair; amending s.
6 627.4236, F.S.; requiring that coverage for
7 bone-marrow-transplant procedures include costs
8 of the donor patient; providing a limitation;
9 providing a legislative finding of an important
10 state interest; providing an effective date.

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

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14 Section 1. Subsections (1) and (4) of section
15 381.0602, Florida Statutes, are amended to read:

16 381.0602 Organ Transplant Advisory Council;
17 membership; responsibilities.--

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

26 (4) The members of the council shall elect a
27 chairperson. The term of the chairperson shall be for 2 years
28 ~~1 year~~, and an individual may not serve as chairperson for
29 more than two consecutive terms.

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

1 627.4236 Coverage for bone marrow transplant
2 procedures.--

3 (2) An insurer or a health maintenance organization
4 may not exclude coverage for bone marrow transplant procedures
5 recommended by the referring physician and the treating
6 physician under a policy exclusion for experimental, clinical
7 investigative, educational, or similar procedures contained in
8 any individual or group health insurance policy or health
9 maintenance organization contract issued, amended, delivered,
10 or renewed in this state that covers treatment for cancer, if
11 the particular use of the bone marrow transplant procedure is
12 determined to be accepted within the appropriate oncological
13 specialty and not experimental pursuant to subsection (3).
14 Covered bone-marrow-transplant procedures must include costs
15 associated with the donor-patient to the same extent and
16 limitations as costs associated with the insured, except the
17 reasonable costs of searching for the donor may be limited to
18 immediate family members and the National Bone Marrow Donor
19 Program.

20 Section 3. The Legislature finds that the provisions
21 of this act fulfill an important state interest.

22 Section 4. This act shall take effect January 1, 2000.
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