

Bill No. CS for SB 1028

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Latvala moved the following amendment to amendment (540324):

Senate Amendment (with title amendment)

On page 63, between lines 19 and 20,

and insert:

Section 40. Subsection (12) is added to section 216.136, Florida Statutes, to read:

216.136 Consensus estimating conferences; duties and principals.--

(12) MANDATED HEALTH INSURANCE BENEFITS AND PROVIDERS ESTIMATING CONFERENCE.--

(a) Duties.--The Mandated Health Insurance Benefits and Providers Estimating Conference shall:

1. Develop and maintain, with the Department of Insurance, a system and program of data collection to assess the impact of mandated benefits and providers, including costs to employers and insurers, impact of treatment, cost savings in the health care system, number of providers, and other appropriate data.

Bill No. CS for SB 1028

Amendment No. ____

1 2. Prescribe the format, content, and timing of
2 information that is to be submitted to the conference and used
3 by the conference in its assessment of proposed and existing
4 mandated benefits and providers. Such format, content, and
5 timing requirements are binding upon all parties submitting
6 information for the conference to use in its assessment of
7 proposed and existing mandated benefits and providers.

8 3. Provide assessments of proposed and existing
9 mandated benefits and providers and other studies of mandated
10 benefits and provider issues as requested by the Legislature
11 or the Governor. When a legislative measure containing a
12 mandated health insurance benefit or provider is proposed, the
13 standing committee of the Legislature which has jurisdiction
14 over the proposal shall request that the conference prepare
15 and forward to the Governor and the Legislature a study that
16 provides, for each measure, a cost-benefit analysis that
17 assesses the social and financial impact and the medical
18 efficacy according to prevailing medical standards of the
19 proposed mandate. The conference has 12 months after the
20 committee makes its request in which to complete and submit
21 the conference's report. The standing committee may not
22 consider such a proposed legislative measure until 12 months
23 after it has requested the conference's report on the measure.

24 4. The standing committees of the Legislature which
25 have jurisdiction over health insurance matters shall request
26 that the conference assess the social and financial impact and
27 the medical efficacy of existing mandated benefits and
28 providers. The committees shall submit to the conference by
29 January 1, 2001, a schedule of evaluations that sets forth the
30 respective dates by which the conference must have completed
31 its evaluations of particular existing mandates.

Bill No. CS for SB 1028

Amendment No. ____

1 (b) Principals.--The Executive Office of the Governor,
 2 the Insurance Commissioner, the Director of the Division of
 3 Economic and Demographic Research of the Joint Legislative
 4 Management Committee, and professional staff of the Senate and
 5 the House of Representatives who have health insurance
 6 expertise, or their designees, are the principals of the
 7 Mandated Health Insurance Benefits and Providers Estimating
 8 Conference. The responsibility of presiding over sessions of
 9 the conference shall be rotated among the principals.

10 Section 41. Section 624.215, Florida Statutes, is
 11 amended to read:

12 624.215 Proposals for legislation which mandates
 13 health benefit coverage; review by Legislature.--

14 (1) LEGISLATIVE INTENT.--The Legislature finds that
 15 there is an increasing number of proposals which mandate that
 16 certain health benefits be provided by insurers and health
 17 maintenance organizations as components of individual and
 18 group policies. The Legislature further finds that many of
 19 these benefits provide beneficial social and health
 20 consequences which may be in the public interest. However,
 21 the Legislature also recognizes that most mandated benefits
 22 contribute to the increasing cost of health insurance
 23 premiums. Therefore, it is the intent of the Legislature to
 24 conduct a systematic review of current and proposed mandated
 25 or mandatorily offered health coverages and to establish
 26 guidelines for such a review. This review will assist the
 27 Legislature in determining whether mandating a particular
 28 coverage is in the public interest.

29 (2) MANDATED HEALTH COVERAGE; REPORT TO THE MANDATED
 30 HEALTH INSURANCE BENEFITS AND PROVIDERS ESTIMATING CONFERENCE
 31 ~~AGENCY FOR HEALTH CARE ADMINISTRATION AND LEGISLATIVE~~

Bill No. CS for SB 1028

Amendment No. ____

1 ~~COMMITTEES~~; GUIDELINES FOR ASSESSING IMPACT.--Every person or
2 organization seeking consideration of a legislative proposal
3 which would mandate a health coverage or the offering of a
4 health coverage by an insurance carrier, health care service
5 contractor, or health maintenance organization as a component
6 of individual or group policies, shall submit to the Mandated
7 Health Insurance Benefits and Providers Estimating Conference
8 ~~Agency for Health Care Administration and the legislative~~
9 ~~committees having jurisdiction~~ a report which assesses the
10 social and financial impacts of the proposed coverage.

11 Guidelines for assessing the impact of a proposed mandated or
12 mandatorily offered health coverage must, to the extent that
13 information is available, ~~shall~~ include:

14 (a) To what extent is the treatment or service
15 generally used by a significant portion of the population.

16 (b) To what extent is the insurance coverage generally
17 available.

18 (c) If the insurance coverage is not generally
19 available, to what extent does the lack of coverage result in
20 persons avoiding necessary health care treatment.

21 (d) If the coverage is not generally available, to
22 what extent does the lack of coverage result in unreasonable
23 financial hardship.

24 (e) The level of public demand for the treatment or
25 service.

26 (f) The level of public demand for insurance coverage
27 of the treatment or service.

28 (g) The level of interest of collective bargaining
29 agents in negotiating for the inclusion of this coverage in
30 group contracts.

31 (h) A report of the extent to which ~~To what extent~~

Bill No. CS for SB 1028

Amendment No. ____

1 ~~will~~ the coverage will increase or decrease the cost of the
2 treatment or service.

3 (i) A report of the extent to which ~~To what extent~~
4 ~~will~~ the coverage will increase the appropriate uses of the
5 treatment or service.

6 (j) A report of the extent to which ~~To what extent~~
7 ~~will~~ the mandated treatment or service will be a substitute
8 for a more expensive treatment or service.

9 (k) A report of the extent to which ~~To what extent~~
10 ~~will~~ the coverage will increase or decrease the administrative
11 expenses of insurance companies and the premium and
12 administrative expenses of policyholders.

13 (l) A report as to the impact of this coverage on the
14 total cost of health care.

15
16 The reports required in paragraphs (h) through (l) shall be
17 reviewed by the Mandated Health Insurance Benefits and
18 Providers Conference using a certified actuary. The standing
19 committee of the Legislature which has jurisdiction over the
20 legislative proposal must request and receive a report from
21 the Mandated Health Insurance Benefits and Providers
22 Estimating Conference before the committee considers the
23 proposal. The committee may not consider a legislative
24 proposal that would mandate a health coverage or the offering
25 of a health coverage by an insurance carrier, health care
26 service contractor, or health maintenance organization until
27 after the committee's request to the Mandated Health Insurance
28 Benefits and Providers Estimating Conference has been
29 answered. As used in this section, the term "health coverage
30 mandate" includes mandating the use of a type of provider.
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Bill No. CS for SB 1028

Amendment No. ____

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 68, line 7, after the semicolon,

4

5 and insert:

6 amending s. 216.136, F.S.; creating the
7 Mandated Health Insurance Benefits and
8 Providers Estimating Conference; providing for
9 membership and duties of the conference;
10 providing duties of legislative committees that
11 have jurisdiction over health insurance
12 matters; amending s. 624.215, F.S.; providing
13 that certain legislative proposals must be
14 submitted to and assessed by the conference,
15 rather than the Agency for Health Care
16 Administration; amending guidelines for
17 assessing the impact of a proposal to
18 legislatively mandate certain health coverage;
19 providing prerequisites to legislative
20 consideration of such proposals;

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