

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Health Care Services offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 624.215, Florida Statutes, is amended to read:

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

(1) LEGISLATIVE INTENT.--The Legislature finds that there is an increasing number of proposals which mandate that certain health benefits be provided by insurers and health maintenance organizations as components of individual and group policies. The Legislature further finds that many of these benefits provide beneficial social and health consequences which may be in the public interest. However, the Legislature also recognizes that most mandated benefits contribute to the increasing cost of health insurance premiums. Therefore, it is the intent of the Legislature to conduct a systematic review of current and proposed mandated

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1 or mandatorily offered health coverages and to establish
2 guidelines for such a review. This review will assist the
3 Legislature in determining whether mandating a particular
4 coverage is in the public interest.

5 (2) DEFINITION.--For purposes of this section,
6 "mandated health benefit" is a requirement imposed upon health
7 benefit plans offered by health maintenance organizations or
8 health insurers to provide their insureds, policyholders, or
9 subscribers with coverage for specific diseases, treatments,
10 services, providers, conditions, drugs or supplies, or for
11 direct patient access to specific providers of health care
12 services. The term "direct patient access" means the ability
13 of a subscriber, insured, or policyholder to obtain such
14 services without a referral or other authorization before
15 receiving service. A mandated option is not a mandated
16 benefit for purposes of this section.

17 (3)(2) MANDATED HEALTH COVERAGE; REPORT BY TO AGENCY
18 FOR HEALTH CARE ADMINISTRATION AND LEGISLATIVE COMMITTEES;
19 GUIDELINES FOR ASSESSING IMPACT.--Any legislative proposal
20 that would establish a mandated health benefit on an insurance
21 carrier, health care service contractor, or health maintenance
22 organization as a component of individual or group policies,
23 shall be referred by the standing committee of the Legislature
24 with jurisdiction over the legislative proposal to the Agency
25 for Health Care Administration. The agency shall prepare a
26 report assessing the social and financial impact of the
27 proposed mandated health benefit. Every person or organization
28 seeking consideration of a legislative proposal which would
29 mandate a health coverage or the offering of a health coverage
30 by an insurance carrier, health care service contractor, or
31 health maintenance organization as a component of individual

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- 1 ~~or group policies, shall submit to the Agency for Health Care~~
2 ~~Administration and the legislative committees having~~
3 ~~jurisdiction a report which assesses the social and financial~~
4 ~~impacts of the proposed coverage. Guidelines for assessing the~~
5 ~~impact of a proposed mandated health benefit or mandatorily~~
6 ~~offered health coverage, to the extent that information is~~
7 ~~available, shall include:~~
- 8 (a) To what extent is the treatment or service
9 generally used by a significant portion of the population.
- 10 (b) To what extent is the insurance coverage generally
11 available.
- 12 (c) If the insurance coverage is not generally
13 available, to what extent does the lack of coverage result in
14 persons avoiding necessary health care treatment.
- 15 (d) If the coverage is not generally available, to
16 what extent does the lack of coverage result in unreasonable
17 financial hardship.
- 18 (e) The level of public demand for the treatment or
19 service.
- 20 (f) The level of public demand for insurance coverage
21 of the treatment or service.
- 22 (g) The level of interest of collective bargaining
23 agents in negotiating for the inclusion of this coverage in
24 group contracts.
- 25 (h) A report, prepared by a certified actuary, of the
26 extent to which ~~To what extent will the coverage will~~ increase
27 or decrease the cost of the treatment or service.
- 28 (i) A report, prepared by a certified actuary, of the
29 extent to which ~~To what extent will the coverage will~~ increase
30 the appropriate uses of the treatment or service.
- 31 (j) A report, prepared by a certified actuary, of the

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1 extent to which ~~To what extent~~ will the mandated treatment or
2 service will be a substitute for a more expensive treatment or
3 service.

4 (k) A report, prepared by a certified actuary, of the
5 extent to which ~~To what extent~~ will the coverage will increase
6 or decrease the administrative expenses of insurance companies
7 and the premium and administrative expenses of policyholders.

8 (l) A report, prepared by a certified actuary, as to
9 the impact of this coverage on the total cost of health care.

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11 The standing committee of the Legislature which has
12 jurisdiction over the legislative proposal must request and
13 receive the report required by this section from the agency
14 before the committee considers the proposal. The agency shall
15 submit the report required by this section prior to the first
16 day of the Legislative Session on any bill proposing a
17 mandated health benefit referred to the agency by the first
18 day in November preceding that Legislative Session.

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Section 2. This act shall take effect July 1, 2000.

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

23 And the title is amended as follows:

24

On page 1, lines 3-14,

25

remove from the title of the bill: all of said lines

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27 and insert in lieu thereof:

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amending s. 624.215, F.S.; providing a

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definition; revising reporting requirements;

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requiring referral of proposed mandates to the

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Agency for Health Care Administration for

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1 review, including actuarial reports; providing
2 requirements for hearing such proposals;
3 imposing report timelines; providing an
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