

By Senator Holzendorf

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A bill to be entitled  
An act relating to health insurance; amending  
s. 624.215, Florida Statutes; defining the term  
"mandated health benefit"; providing an  
effective date.

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

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

(2) DEFINITION.--For purposes of this section, a  
"mandated health benefit" is a statutory requirement imposed  
upon health benefit plans offered by health insurers or health  
maintenance organizations to provide their insureds,

1 policyholders, or subscribers with coverage for specific  
2 health care services, treatments, drugs, or supplies; coverage  
3 for particular health conditions; coverage for certain  
4 providers of health care services; or coverage for certain  
5 persons because of their relation to the covered individual.

6 (3)~~(2)~~ MANDATED HEALTH COVERAGE; REPORT TO AGENCY FOR  
7 HEALTH CARE ADMINISTRATION AND LEGISLATIVE COMMITTEES;  
8 GUIDELINES FOR ASSESSING IMPACT.--Every person or organization  
9 seeking consideration of a legislative proposal which would  
10 mandate a health coverage or the offering of a health coverage  
11 by an insurance carrier, health care service contractor, or  
12 health maintenance organization as a component of individual  
13 or group policies, shall submit to the Agency for Health Care  
14 Administration and the legislative committees having  
15 jurisdiction a report which assesses the social and financial  
16 impacts of the proposed coverage. Guidelines for assessing the  
17 impact of a proposed mandated or mandatorily offered health  
18 coverage, to the extent that information is available, shall  
19 include:

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

22 (b) To what extent is the insurance coverage generally  
23 available.

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

27 (d) If the coverage is not generally available, to  
28 what extent does the lack of coverage result in unreasonable  
29 financial hardship.

30 (e) The level of public demand for the treatment or  
31 service.

- 1 (f) The level of public demand for insurance coverage  
2 of the treatment or service.
- 3 (g) The level of interest of collective bargaining  
4 agents in negotiating for the inclusion of this coverage in  
5 group contracts.
- 6 (h) To what extent will the coverage increase or  
7 decrease the cost of the treatment or service.
- 8 (i) To what extent will the coverage increase the  
9 appropriate uses of the treatment or service.
- 10 (j) To what extent will the mandated treatment or  
11 service be a substitute for a more expensive treatment or  
12 service.
- 13 (k) To what extent will the coverage increase or  
14 decrease the administrative expenses of insurance companies  
15 and the premium and administrative expenses of policyholders.
- 16 (l) The impact of this coverage on the total cost of  
17 health care.

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

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SENATE SUMMARY

Defines the term "mandated health benefit" for purposes  
of assessing the effects of legislative proposals  
mandating benefits.