

By the Committees on Banking and Insurance; Health, Aging, and Long-Term Care; and Senator Saunders

311-2515-03

1 A bill to be entitled
2 An act relating to health care practice
3 parameters; repealing s. 408.02, F.S., relating
4 to practice parameters; amending s. 440.13,
5 F.S.; providing for practice parameters and
6 protocols; amending ss. 440.134, 627.6418,
7 627.6613, F.S., relating to worker's
8 compensation managed care plans and health
9 insurance policy coverage for mammograms;
10 removing references and legislative intent, to
11 conform; providing legislative intent that the
12 statutory requirements conform to certain
13 parameters relating to mammograms; providing an
14 effective date.

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

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18 Section 1. Section 408.02, Florida Statutes, is
19 repealed.

20 Section 2. Subsection (15) of section 440.13, Florida
21 Statutes, is amended to read:

22 440.13 Medical services and supplies; penalty for
23 violations; limitations.--

24 (15) PRACTICE PARAMETERS.--The practice parameters and
25 protocols mandated under this chapter shall be the Workers'
26 Compensation Utilization Management Standards adopted by the
27 American Accreditation Health Care Commission in effect on
28 January 1, 2003.

29 ~~(a) The Agency for Health Care Administration, in~~
30 ~~conjunction with the department and appropriate health~~
31 ~~professional associations and health-related organizations~~

1 ~~shall develop and may adopt by rule scientifically sound~~
2 ~~practice parameters for medical procedures relevant to~~
3 ~~workers' compensation claimants. Practice parameters developed~~
4 ~~under this section must focus on identifying effective~~
5 ~~remedial treatments and promoting the appropriate utilization~~
6 ~~of health care resources. Priority must be given to those~~
7 ~~procedures that involve the greatest utilization of resources~~
8 ~~either because they are the most costly or because they are~~
9 ~~the most frequently performed. Practice parameters for~~
10 ~~treatment of the 10 top procedures associated with workers'~~
11 ~~compensation injuries including the remedial treatment of~~
12 ~~lower back injuries must be developed by December 31, 1994.~~

13 ~~(b) The guidelines may be initially based on~~
14 ~~guidelines prepared by nationally recognized health care~~
15 ~~institutions and professional organizations but should be~~
16 ~~tailored to meet the workers' compensation goal of returning~~
17 ~~employees to full employment as quickly as medically possible,~~
18 ~~taking into consideration outcomes data collected from managed~~
19 ~~care providers and any other inpatient and outpatient~~
20 ~~facilities serving workers' compensation claimants.~~

21 ~~(c) Procedures must be instituted which provide for~~
22 ~~the periodic review and revision of practice parameters based~~
23 ~~on the latest outcomes data, research findings, technological~~
24 ~~advancements, and clinical experiences, at least once every 3~~
25 ~~years.~~

26 ~~(d) Practice parameters developed under this section~~
27 ~~must be used by carriers and the agency in evaluating the~~
28 ~~appropriateness and overutilization of medical services~~
29 ~~provided to injured employees.~~

30 Section 3. Subsection (11) of section 440.134, Florida
31 Statutes, is amended to read:

1 440.134 Workers' compensation managed care
2 arrangement.--

3 (11) A description of the use of workers' compensation
4 practice parameters and protocols for treatment for health
5 care services ~~when adopted by the agency.~~

6 Section 4. Subsection (1) of section 627.6418, Florida
7 Statutes, is amended to read:

8 627.6418 Coverage for mammograms.--

9 (1) An accident or health insurance policy issued,
10 amended, delivered, or renewed in this state must provide
11 coverage for at least the following:

12 (a) A baseline mammogram for any woman who is 35 years
13 of age or older, but younger than 40 years of age.

14 (b) A mammogram every 2 years for any woman who is 40
15 years of age or older, but younger than 50 years of age, or
16 more frequently based on the patient's physician's
17 recommendation.

18 (c) A mammogram every year for any woman who is 50
19 years of age or older.

20 (d) One or more mammograms a year, based upon a
21 physician's recommendation, for any woman who is at risk for
22 breast cancer because of a personal or family history of
23 breast cancer, because of having a history of biopsy-proven
24 benign breast disease, because of having a mother, sister, or
25 daughter who has or has had breast cancer, or because a woman
26 has not given birth before the age of 30.

27
28 It is the intent of the Legislature that, the requirements of
29 this section conform to the practice parameters relating to
30 mammograms as recognized by the United States Agency for
31 Healthcare Research and Quality ~~when practice parameters for~~

1 ~~the delivery of mammography services are developed pursuant to~~
2 ~~s. 408.02(7), the Legislature review the requirements of this~~
3 ~~section and conform to the practice parameters.~~

4 Section 5. Subsection (1) of section 627.6613, Florida
5 Statutes, is amended to read:

6 627.6613 Coverage for mammograms.--

7 (1) A group, blanket, or franchise accident or health
8 insurance policy issued, amended, delivered, or renewed in
9 this state must provide coverage for at least the following:

10 (a) A baseline mammogram for any woman who is 35 years
11 of age or older, but younger than 40 years of age.

12 (b) A mammogram every 2 years for any woman who is 40
13 years of age or older, but younger than 50 years of age, or
14 more frequently based on the patient's physician's
15 recommendation.

16 (c) A mammogram every year for any woman who is 50
17 years of age or older.

18 (d) One or more mammograms a year, based upon a
19 physician's recommendation, for any woman who is at risk for
20 breast cancer because of a personal or family history of
21 breast cancer, because of having a history of biopsy-proven
22 benign breast disease, because of having a mother, sister, or
23 daughter who has or has had breast cancer, or because a woman
24 has not given birth before the age of 30.

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26 It is the intent of the Legislature that the requirements of
27 this section conform to the practice parameters relating to
28 mammograms as recognized by the United States Agency for
29 Healthcare Research and Quality, ~~when practice parameters for~~
30 ~~the delivery of mammography services are developed pursuant to~~
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1 ~~s. 408.02(7), the Legislature review the requirements of this~~
2 ~~section and conform to the practice parameters.~~

3 Section 6. This act shall take effect upon becoming a
4 law.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 CS for Senate Bill 2678

9 The committee substitute requires the Workers' Compensation
10 Utilization Management Standards, as adopted by the American
11 Accreditation Health Care Commission, to be the practice
12 parameters mandated under ch. 440, F.S.
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