



HB 0743

2003
CS

CHAMBER ACTION

The Committee on Insurance recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to health care practice parameters; repealing s. 408.02, F.S., to delete the requirement that the Agency for Health Care Administration develop, endorse, and implement health care practice parameters; amending s. 440.13, F.S.; specifying practice parameters and protocols under the Workers' Compensation Law; deleting duty of the Agency for Health Care Administration with respect to the development of workers' compensation practice parameters; amending ss. 440.134, 627.6418, and 627.6613, F.S., relating to workers' compensation managed care plans and health insurance policy coverage for mammograms; revising references and legislative intent, to conform; providing an effective date.

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

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 Section 408.02, Florida Statutes, is repealed.



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

30 440.13 Medical services and supplies; penalty for
31 violations; limitations.--

32 (15) PRACTICE PARAMETERS AND PROTOCOLS.--The practice
33 parameters and protocols mandated under this chapter shall be
34 the Workers' Compensation Utilization Management Standards
35 adopted by the American Accreditation Health Care Commission in
36 effect on January 1, 2003.

37 ~~(a) The Agency for Health Care Administration, in~~
38 ~~conjunction with the department and appropriate health~~
39 ~~professional associations and health-related organizations shall~~
40 ~~develop and may adopt by rule scientifically sound practice~~
41 ~~parameters for medical procedures relevant to workers'~~
42 ~~compensation claimants. Practice parameters developed under this~~
43 ~~section must focus on identifying effective remedial treatments~~
44 ~~and promoting the appropriate utilization of health care~~
45 ~~resources. Priority must be given to those procedures that~~
46 ~~involve the greatest utilization of resources either because~~
47 ~~they are the most costly or because they are the most frequently~~
48 ~~performed. Practice parameters for treatment of the 10 top~~
49 ~~procedures associated with workers' compensation injuries~~
50 ~~including the remedial treatment of lower-back injuries must be~~
51 ~~developed by December 31, 1994.~~

52 ~~(b) The guidelines may be initially based on guidelines~~
53 ~~prepared by nationally recognized health care institutions and~~
54 ~~professional organizations but should be tailored to meet the~~
55 ~~workers' compensation goal of returning employees to full~~



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56 ~~employment as quickly as medically possible, taking into~~
57 ~~consideration outcomes data collected from managed care~~
58 ~~providers and any other inpatient and outpatient facilities~~
59 ~~servicing workers' compensation claimants.~~

60 ~~(c) Procedures must be instituted which provide for the~~
61 ~~periodic review and revision of practice parameters based on the~~
62 ~~latest outcomes data, research findings, technological~~
63 ~~advancements, and clinical experiences, at least once every 3~~
64 ~~years.~~

65 ~~(d) Practice parameters developed under this section must~~
66 ~~be used by carriers and the agency in evaluating the~~
67 ~~appropriateness and overutilization of medical services provided~~
68 ~~to injured employees.~~

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

71 440.134 Workers' compensation managed care arrangement.--

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

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

77 627.6418 Coverage for mammograms.--

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

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



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

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

88 (d) One or more mammograms a year, based upon a
89 physician's recommendation, for any woman who is at risk for
90 breast cancer because of a personal or family history of breast
91 cancer, because of having a history of biopsy-proven benign
92 breast disease, because of having a mother, sister, or daughter
93 who has or has had breast cancer, or because a woman has not
94 given birth before the age of 30.

95
96 It is the intent of the Legislature that the requirements of
97 this section conform to the practice parameters relating to
98 mammograms as recognized by the United States Agency for
99 Healthcare Research and Quality, ~~when practice parameters for~~
100 ~~the delivery of mammography services are developed pursuant to~~
101 ~~s. 408.02(7), the Legislature review the requirements of this~~
102 ~~section and conform to the practice parameters.~~

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

105 627.6613 Coverage for mammograms.--

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

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



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

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

116 (d) One or more mammograms a year, based upon a
117 physician's recommendation, for any woman who is at risk for
118 breast cancer because of a personal or family history of breast
119 cancer, because of having a history of biopsy-proven benign
120 breast disease, because of having a mother, sister, or daughter
121 who has or has had breast cancer, or because a woman has not
122 given birth before the age of 30.

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124 It is the intent of the Legislature that the requirements of
125 this section conform to the practice parameters relating to
126 mammograms as recognized by the United States Agency for
127 Healthcare Research and Quality, ~~when practice parameters for~~
128 ~~the delivery of mammography services are developed pursuant to~~
129 ~~s. 408.02(7), the Legislature review the requirements of this~~
130 ~~section and conform to the practice parameters.~~

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