



1           WHEREAS, insurance companies often do not fully cover  
2 the costs associated with treating congenital craniofacial  
3 anomalies, NOW, THEREFORE,

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

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7           Section 1. Section 627.64194, Florida Statutes, is  
8 created to read:

9           627.64194 Services for the treatment of congenital  
10 craniofacial anomalies.--A health insurance policy sold in  
11 this state must provide coverage for all medically appropriate  
12 and necessary equipment, supplies, supplements, and patient  
13 self-management training and educational services used to  
14 treat a congenital craniofacial anomaly if the patient's  
15 treating physician or a physician who specializes in the  
16 treatment of craniofacial anomalies certifies that such  
17 services are necessary.

18           Section 2. Section 627.6614, Florida Statutes, is  
19 created to read:

20           627.6614 Services for the treatment of congenital  
21 craniofacial anomalies.--A group health insurance policy sold  
22 in this state must provide coverage for all medically  
23 appropriate and necessary equipment, supplies, supplements,  
24 and patient self-management training and educational services  
25 used to treat a congenital craniofacial anomaly if the  
26 patient's treating physician or a physician who specializes in  
27 the treatment of craniofacial anomalies certifies that such  
28 services are necessary.

29           Section 3. Present subsections (36), (37), (38), (39),  
30 and (40) of section 641.31, Florida Statutes, are redesignated  
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1 as subsections (37), (38), (39), (40), and (41), respectively,  
2 and a new subsection (36) is added to that section to read:

3 641.31 Health maintenance contracts.--

4 (36) A health maintenance contract sold in this state  
5 must provide coverage for all medically appropriate and  
6 necessary equipment, supplies, supplements, and patient  
7 self-management training and educational services used to  
8 treat a congenital craniofacial anomaly if the patient's  
9 treating physician or a physician who specializes in the  
10 treatment of craniofacial anomalies certifies that such  
11 services are necessary.

12 Section 4. Subsection (2) of section 627.6515, Florida  
13 Statutes, is amended to read:

14 627.6515 Out-of-state groups.--

15 (2) Except as otherwise provided in this part, this  
16 part does not apply to a group health insurance policy issued  
17 or delivered outside this state under which a resident of this  
18 state is provided coverage if:

19 (a) The policy is issued to an employee group the  
20 composition of which is substantially as described in s.  
21 627.653; a labor union group or association group the  
22 composition of which is substantially as described in s.  
23 627.654; an additional group the composition of which is  
24 substantially as described in s. 627.656; a group insured  
25 under a blanket health policy when the composition of the  
26 group is substantially in compliance with s. 627.659; a group  
27 insured under a franchise health policy when the composition  
28 of the group is substantially in compliance with s. 627.663;  
29 an association group to cover persons associated in any other  
30 common group, which common group is formed primarily for  
31 purposes other than providing insurance; a group that is

1 established primarily for the purpose of providing group  
2 insurance, provided the benefits are reasonable in relation to  
3 the premiums charged thereunder and the issuance of the group  
4 policy has resulted, or will result, in economies of  
5 administration; or a group of insurance agents of an insurer,  
6 which insurer is the policyholder;

7 (b) Certificates evidencing coverage under the policy  
8 are issued to residents of this state and contain in  
9 contrasting color and not less than 10-point type the  
10 following statement: "The benefits of the policy providing  
11 your coverage are governed primarily by the law of a state  
12 other than Florida"; and

13 (c) The policy provides the benefits specified in ss.  
14 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,  
15 627.66122, 627.6613, 627.6614, 627.667, 627.6675, 627.6691,  
16 and 627.66911.

17 (d) Applications for certificates of coverage offered  
18 to residents of this state must contain, in contrasting color  
19 and not less than 12-point type, the following statement on  
20 the same page as the applicant's signature:

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22 "This policy is primarily governed by the laws  
23 of ...insert state where the master policy if  
24 filed.... As a result, all of the rating laws  
25 applicable to policies filed in this state do  
26 not apply to this coverage, which may result in  
27 increases in your premium at renewal that would  
28 not be permissible under a Florida-approved  
29 policy. Any purchase of individual health  
30 insurance should be considered carefully, as  
31 future medical conditions may make it

1 impossible to qualify for another individual  
2 health policy. For information concerning  
3 individual health coverage under a  
4 Florida-approved policy, consult your agent or  
5 the Florida Department of Financial Services."  
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7 This paragraph applies only to group certificates providing  
8 health insurance coverage which require individualized  
9 underwriting to determine coverage eligibility for an  
10 individual or premium rates to be charged to an individual  
11 except for the following:

12 1. Policies issued to provide coverage to groups of  
13 persons all of whom are in the same or functionally related  
14 licensed professions, and providing coverage only to such  
15 licensed professionals, their employees, or their dependents;

16 2. Policies providing coverage to small employers as  
17 defined by s. 627.6699. Such policies shall be subject to, and  
18 governed by, the provisions of s. 627.6699;

19 3. Policies issued to a bona fide association, as  
20 defined by s. 627.6571(5), provided that there is a person or  
21 board acting as a fiduciary for the benefit of the members,  
22 and such association is not owned, controlled by, or otherwise  
23 associated with the insurance company; or

24 4. Any accidental death, accidental death and  
25 dismemberment, accident-only, vision-only, dental-only,  
26 hospital indemnity-only, hospital accident-only, cancer,  
27 specified disease, Medicare supplement, products that  
28 supplement Medicare, long-term care, or disability income  
29 insurance, or similar supplemental plans provided under a  
30 separate policy, certificate, or contract of insurance, which  
31 cannot duplicate coverage under an underlying health plan,

1 coinsurance, or deductibles or coverage issued as a supplement  
2 to workers' compensation or similar insurance, or automobile  
3 medical-payment insurance.

4 Section 5. This act shall take effect October 1, 2005.

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7 SENATE SUMMARY

8 Requires an individual health insurance policy, a group  
9 health insurance policy, or a contract by a health  
10 maintenance organization to cover services needed to  
11 treat congenital craniofacial anomalies as authorized by  
12 a physician.  
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