

Bill No. SB 482

Barcode 412394

CHAMBER ACTION

Senate

House

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The Committee on Banking and Insurance (Campbell) recommended  
the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

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

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

627.6614 Services for the treatment of congenital

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1 craniofacial anomalies.--A group health insurance policy sold  
 2 in this state must provide coverage for all medically  
 3 appropriate and necessary equipment, supplies, supplements,  
 4 and patient self-management training and educational services  
 5 used to treat a congenital craniofacial anomaly if the  
 6 patient's treating physician or a physician who specializes in  
 7 the treatment of craniofacial anomalies certifies that such  
 8 services are necessary.

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

13           641.31 Health maintenance contracts.--  
 14           (36) A health maintenance contract sold in this state  
 15 must provide coverage for all medically appropriate and  
 16 necessary equipment, supplies, supplements, and patient  
 17 self-management training and educational services used to  
 18 treat a congenital craniofacial anomaly if the patient's  
 19 treating physician or a physician who specializes in the  
 20 treatment of craniofacial anomalies certifies that such  
 21 services are necessary.

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

24           627.6515 Out-of-state groups.--  
 25           (2) Except as otherwise provided in this part, this  
 26 part does not apply to a group health insurance policy issued  
 27 or delivered outside this state under which a resident of this  
 28 state is provided coverage if:  
 29           (a) The policy is issued to an employee group the  
 30 composition of which is substantially as described in s.  
 31 627.653; a labor union group or association group the

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1 composition of which is substantially as described in s.  
 2 627.654; an additional group the composition of which is  
 3 substantially as described in s. 627.656; a group insured  
 4 under a blanket health policy when the composition of the  
 5 group is substantially in compliance with s. 627.659; a group  
 6 insured under a franchise health policy when the composition  
 7 of the group is substantially in compliance with s. 627.663;  
 8 an association group to cover persons associated in any other  
 9 common group, which common group is formed primarily for  
 10 purposes other than providing insurance; a group that is  
 11 established primarily for the purpose of providing group  
 12 insurance, provided the benefits are reasonable in relation to  
 13 the premiums charged thereunder and the issuance of the group  
 14 policy has resulted, or will result, in economies of  
 15 administration; or a group of insurance agents of an insurer,  
 16 which insurer is the policyholder;

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

23 (c) The policy provides the benefits specified in ss.  
 24 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,  
 25 627.66122, 627.6613, 627.6614, 627.667, 627.6675, 627.6691,  
 26 and 627.66911.

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

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1 "This policy is primarily governed by the laws  
 2 of ...insert state where the master policy if  
 3 filed.... As a result, all of the rating laws  
 4 applicable to policies filed in this state do  
 5 not apply to this coverage, which may result in  
 6 increases in your premium at renewal that would  
 7 not be permissible under a Florida-approved  
 8 policy. Any purchase of individual health  
 9 insurance should be considered carefully, as  
 10 future medical conditions may make it  
 11 impossible to qualify for another individual  
 12 health policy. For information concerning  
 13 individual health coverage under a  
 14 Florida-approved policy, consult your agent or  
 15 the Florida Department of Financial Services."

16  
 17 This paragraph applies only to group certificates providing  
 18 health insurance coverage which require individualized  
 19 underwriting to determine coverage eligibility for an  
 20 individual or premium rates to be charged to an individual  
 21 except for the following:

22 1. Policies issued to provide coverage to groups of  
 23 persons all of whom are in the same or functionally related  
 24 licensed professions, and providing coverage only to such  
 25 licensed professionals, their employees, or their dependents;

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

29 3. Policies issued to a bona fide association, as  
 30 defined by s. 627.6571(5), provided that there is a person or  
 31 board acting as a fiduciary for the benefit of the members,

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1 and such association is not owned, controlled by, or otherwise  
2 associated with the insurance company; or

3           4. Any accidental death, accidental death and  
4 dismemberment, accident-only, vision-only, dental-only,  
5 hospital indemnity-only, hospital accident-only, cancer,  
6 specified disease, Medicare supplement, products that  
7 supplement Medicare, long-term care, or disability income  
8 insurance, or similar supplemental plans provided under a  
9 separate policy, certificate, or contract of insurance, which  
10 cannot duplicate coverage under an underlying health plan,  
11 coinsurance, or deductibles or coverage issued as a supplement  
12 to workers' compensation or similar insurance, or automobile  
13 medical-payment insurance.

14           Section 5. This act shall take effect October 1, 2006.

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

18 And the title is amended as follows:

19           Delete everything before the enacting clause

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21 and insert:

22                           A bill to be entitled  
23           An act relating to the treatment of congenital  
24           craniofacial anomalies; creating ss. 627.64194  
25           and 627.6614, F.S.; requiring an individual  
26           health insurance policy or a group health  
27           insurance policy to cover services needed to  
28           treat congenital craniofacial anomalies as  
29           authorized by a physician; amending s. 641.31,  
30           F.S.; requiring a contract by a health  
31           maintenance organization to cover services

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1 needed to treat congenital craniofacial  
 2 anomalies as authorized by a physician;  
 3 amending s. 627.6515, F.S., relating to  
 4 out-of-state groups; conforming a  
 5 cross-reference to changes made by the act;  
 6 providing an effective date.

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 8 WHEREAS, craniofacial anomalies are a group of  
 9 deformities involving the growth of the head and facial bones,  
 10 and these anomalies are present at birth and vary in type and  
 11 severity, and

12 WHEREAS, experts agree that many factors contribute to  
 13 the development of craniofacial anomalies, some craniofacial  
 14 anomalies are a result of genetic mutations, and other  
 15 craniofacial anomalies may be a result of environmental  
 16 factors that scientists do not completely understand, and

17 WHEREAS, the most common types of craniofacial  
 18 anomalies include, but are not limited to, cleft lip, cleft  
 19 palate, craniosynostosis, hemifacial microsomia, vascular  
 20 malformation, hemangioma, and deformational or positional  
 21 plagiocephaly, and

22 WHEREAS, insurance companies often do not fully cover  
 23 the costs associated with treating congenital craniofacial  
 24 anomalies, NOW, THEREFORE,

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