By the Committee on Banking and Insurance; and Senators Hill, Justice, Argenziano, Peaden, Bullard, Wise, Dawson, Siplin, Bennett, Posey, Storms, Joyner, Lynn, Margolis, Jones and Lawson

597-2115-07

1	A bill to be entitled
2	An act relating to health insurance; creating
3	the "Senator Les Miller Act"; creating ss.
4	627.64091 and 627.6418, F.S., and amending s.
5	641.31, F.S.; requiring that health insurance
6	policies, group health insurance policies, and
7	health maintenance contracts provide coverage
8	for an annual screening for prostate cancer for
9	men of a specified age or older; providing
10	requirements for the screening; providing that
11	coverage for prostate cancer screening does not
12	limit diagnostic benefits otherwise allowed
13	under the policy; amending s. 627.6515, F.S.;
14	providing for the benefit requirement to apply
15	to a group health insurance policy issued or
16	delivered outside the state; providing a
17	finding that the act fulfills an important
18	state interest; providing for application of
19	the act; providing an effective date.
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21	Be It Enacted by the Legislature of the State of Florida:
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23	Section 1. This act may be cited as the "Senator Les
24	Miller Act."
25	Section 2. Section 627.64091, Florida Statutes, is
26	created to read:
27	627.64091 Coverage for prostate cancer screening
28	(1) A health insurance policy providing coverage to a
29	man age 40 or older must provide coverage for annual screening
30	for prostate cancer for such a man in accordance with the
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1	prostate cancer early detection quidelines of the National
2	Comprehensive Cancer Network.
3	(2) The coverage for prostate cancer screening shall
4	consist, at a minimum, of the following tests:
5	(a) Prostate-specific antigen blood test; and
6	(b) Digital rectal examination.
7	(3) If a licensed medical practitioner recommends that
8	an insured undergo a prostate-specific antigen blood test,
9	coverage may not be denied because that person previously had
10	a digital rectal exam and the exam results were negative.
11	(4) The benefits required by this section do not limit
12	diagnostic benefits otherwise allowable under the policy.
13	Section 3. Paragraph (c) of subsection (2) of section
14	627.6515, Florida Statutes, is amended to read:
15	627.6515 Out-of-state groups
16	(2) Except as otherwise provided in this part, this
17	part does not apply to a group health insurance policy issued
18	or delivered outside this state under which a resident of this
19	state is provided coverage if:
20	(c) The policy provides the benefits specified in ss.
21	627.419, <u>627.6418,</u> 627.6574, 627.6575, 627.6579, 627.6612,
22	627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691,
23	and 627.66911.
24	Section 4. Section 627.6418, Florida Statutes, is
25	created to read:
26	627.6418 Coverage for prostate cancer screening
27	(1) A group health insurance policy which provides
28	coverage to a man age 40 or older must provide coverage for
29	annual screening for prostate cancer for such a man in
30	accordance with the prostate cancer early detection guidelines
31	of the National Comprehensive Cancer Network

1	(2) The coverage for prostate cancer screening shall
2	consist, at a minimum, of the following tests:
3	(a) Prostate-specific antigen blood test; and
4	(b) Digital rectal examination.
5	(3) If a licensed medical practitioner recommends that
6	an insured undergo a prostate-specific antigen blood test,
7	coverage may not be denied because that person previously had
8	a digital rectal exam and the exam results were negative.
9	(4) The benefits required by this section do not limit
10	diagnostic benefits otherwise allowable under the policy.
11	Section 5. Subsection (41) is added to section 641.31,
12	Florida Statutes, to read:
13	641.31 Health maintenance contracts
14	(41)(a) A health maintenance organization contract
15	which provides coverage to a man age 40 or older must provide
16	coverage for annual screening for prostate cancer for such a
17	man in accordance with the prostate cancer early detection
18	quidelines of the National Comprehensive Cancer Network.
19	(b) The coverage for prostate cancer screening shall
20	consist, at a minimum, of the following tests:
21	1. Prostate-specific antigen blood test; and
22	2. Digital rectal examination.
23	(c) If a licensed medical practitioner recommends that
24	a subscriber undergo a prostate-specific antigen blood test,
25	coverage may not be denied because that person previously had
26	a digital rectal exam and the exam results were negative.
27	(d) The benefits required by this subsection do not
28	limit diagnostic benefits otherwise allowable under the
29	contract.
30	Section 6. The Legislature finds that the provisions
31	of this act fulfill an important state interest.

1	Section 7. This act shall take effect January 1, 2008,
2	and shall apply to policies or contracts issued or renewed on
3	or after that date.
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5	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
6	Senate Bill 110
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8	The Committee Substitute provides the following changes:
9	1. Limits the application of the insurance health benefit mandate to individual and group insurance policies and
10	HMO contracts.
11	2. Clarifies that the coverage required in this bill must be provided and not merely offered.
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13	3. Eliminates the provision that such coverage is not subject to any deductible in the policy or contract.
14	4. Names the act the "Senator Les Miller Act."
15	5. Specifies that the bill fulfills an important state interest.
16	interest.
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