

1 A bill to be entitled
 2 An act relating to health insurance; providing a short
 3 title; requiring health benefit plans, as defined, to
 4 offer coverage for prostate cancer early detection
 5 screening for certain men; providing an effective date.

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

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 9 Section 1. This act may be cited as the "Senator Les
 10 Miller Act."

11 Section 2. (1) (a) A health benefit plan that is offered,
 12 issued, or renewed in this state on or after January 1, 2008,
 13 which provides coverage to men age 40 or older must offer
 14 coverage for annual screening for prostate cancer for such men,
 15 according to the prostate cancer early detection guidelines of
 16 the National Comprehensive Cancer Network.

17 (b) The coverage for prostate cancer screening shall
 18 consist, at a minimum, of the following tests:

- 19 1. Prostate-specific antigen blood test; and
 20 2. Digital rectal examination.

21 (c) If a medical practitioner recommends that an insured,
 22 subscriber, or enrollee undergo a prostate-specific antigen
 23 blood test, coverage may not be denied because that person
 24 previously had a digital rectal exam and the exam results were
 25 negative.

26 (2) The benefits required by this section do not limit
 27 diagnostic benefits otherwise allowable under a health benefit
 28 plan.

29 (3) As used in this section, the term "health benefit
30 plan" means group hospital or medical insurance coverage, a not-
31 for-profit hospital or medical service or indemnity plan, a
32 prepaid health plan, a health maintenance organization plan, a
33 preferred provider organization plan, a state or municipal
34 employee health insurance plan, a program funded under Title XIX
35 of the Social Security Act or other publicly funded program, a
36 Multiple Employer Welfare Arrangement, or an employee self-
37 insured plan, except as exempt under federal ERISA provisions.
38 The term does not include short-term, accident, fixed indemnity,
39 or specified disease policies, disability income contracts,
40 limited benefit or credit disability insurance, workers'
41 compensation insurance, automobile medical payment insurance, or
42 insurance under which benefits are payable without regard to
43 fault and which is required by law to be included in a liability
44 insurance policy or equivalent self-insurance.

45 Section 3. This act shall take effect January 1, 2008.