

By Senator Hill

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1 A bill to be entitled

2 An act relating to health insurance; creating the "Senator
3 Les Miller Act"; creating ss. 627.64091 and 627.64185,
4 F.S., and amending s. 641.31, F.S.; requiring that health
5 insurance policies, group health insurance policies, and
6 health maintenance contracts provide coverage for an
7 annual screening for prostate cancer for men of a
8 specified age or older; providing requirements for the
9 screening; providing that coverage for prostate cancer
10 screening does not limit diagnostic benefits otherwise
11 allowed under the policy; amending s. 627.6515, F.S.;
12 providing for the benefit requirement to apply to a group
13 health insurance policy issued or delivered outside the
14 state; providing a finding that the act fulfills an
15 important state interest; providing for application of the
16 act; providing an effective date.

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

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20 Section 1. This act may be cited as the "Senator Les Miller
21 Act."

22 Section 2. Section 627.64091, Florida Statutes, is created
23 to read:

24 627.64091 Coverage for prostate cancer screening.--

25 (1) A health insurance policy providing coverage to a man
26 40 years of age or older must provide coverage for annual
27 screening for prostate cancer for such a man in accordance with
28 the guidelines for the early detection of prostate cancer set

1-02415A-08

20081010__

29 forth in the National Comprehensive Cancer Network or other
30 evidence-based source.

31 (2) The coverage for prostate cancer screening shall
32 consist, at a minimum, of the following tests:

33 (a) Prostate-specific antigen blood test; and

34 (b) Digital rectal examination.

35 (3) If a licensed medical practitioner recommends that an
36 insured undergo a prostate-specific antigen blood test, coverage
37 may not be denied because that person previously had a digital
38 rectal exam and the exam results were negative.

39 (4) The benefits required by this section do not limit
40 diagnostic benefits otherwise allowable under the policy.

41 Section 3. Paragraph (c) of subsection (2) of section
42 627.6515, Florida Statutes, is amended to read:

43 627.6515 Out-of-state groups.--

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

48 (c) The policy provides the benefits specified in ss.
49 627.64185, 627.419, 627.6574, 627.6575, 627.6579, 627.6612,
50 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and
51 627.66911.

52 Section 4. Section 627.64185, Florida Statutes, is created
53 to read:

54 627.64185 Coverage for prostate cancer screening.--

55 (1) A group health insurance policy that provides coverage
56 to a man 40 years of age or older must provide coverage for
57 annual screening for prostate cancer for such a man in accordance

1-02415A-08

20081010__

58 with the guidelines for the early detection of prostate cancer
59 set forth in the National Comprehensive Cancer Network or other
60 evidence-based source.

61 (2) The coverage for prostate cancer screening shall
62 consist, at a minimum, of the following tests:

63 (a) Prostate-specific antigen blood test; and

64 (b) Digital rectal examination.

65 (3) If a licensed medical practitioner recommends that an
66 insured undergo a prostate-specific antigen blood test, coverage
67 may not be denied because that person previously had a digital
68 rectal exam and the exam results were negative.

69 (4) The benefits required by this section do not limit
70 diagnostic benefits otherwise allowable under the policy.

71 Section 5. Subsection (41) is added to section 641.31,
72 Florida Statutes, to read:

73 641.31 Health maintenance contracts.--

74 (41) (a) A health maintenance organization contract that
75 provides coverage to a man 40 years of age or older must provide
76 coverage for annual screening for prostate cancer for such a man
77 in accordance with the guidelines for the early detection of
78 prostate cancer set forth in the National Comprehensive Cancer
79 Network or other evidence-based source.

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

82 1. Prostate-specific antigen blood test; and

83 2. Digital rectal examination.

84 (c) If a licensed medical practitioner recommends that a
85 subscriber undergo a prostate-specific antigen blood test,

1-02415A-08

20081010__

86 coverage may not be denied because that person previously had a
87 digital rectal exam and the exam results were negative.

88 (d) The benefits required by this section do not limit
89 diagnostic benefits otherwise allowable under the contract.

90 Section 6. The Legislature finds that the provisions of
91 this act fulfill an important state interest.

92 Section 7. This act shall take effect January 1, 2009, and
93 applies to policies and contracts issued or renewed on or after
94 that date.