

By the Committee on Banking and Insurance; and Senators Hill and Bullard

597-06354-08

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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 627.6614,  
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.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
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 man in accordance with the  
28 guidelines for the early detection of prostate cancer set forth  
29 in the National Comprehensive Cancer Network guidelines.

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

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

33           (b) Digital rectal examination.

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

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

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

42       627.6515 Out-of-state groups.--

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

47       (c) The policy provides the benefits specified in ss.  
48 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,  
49 627.66122, 627.6613, 627.6614, 627.667, 627.6675, 627.6691, and  
50 627.66911.

51       Section 4. Section 627.6614, Florida Statutes, is created  
52 to read:

53       627.6614 Coverage for prostate cancer screening.--

54       (1) A group health insurance policy that provides coverage  
55 to a man 40 years of age or older must provide coverage for  
56 annual screening for prostate cancer for such man in accordance  
57 with the guidelines for the early detection of prostate cancer  
58 set forth in the National Comprehensive Cancer Network

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59 guidelines.

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

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

63 (b) Digital rectal examination.

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

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

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

72 641.31 Health maintenance contracts.--

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

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

81 1. Prostate-specific antigen blood test; and

82 2. Digital rectal examination.

83 (c) If a licensed medical practitioner recommends that a  
84 subscriber undergo a prostate-specific antigen blood test,  
85 coverage may not be denied because that person previously had a  
86 digital rectal exam and the exam results were negative.

87 (d) The benefits required by this section do not limit

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88 diagnostic benefits otherwise allowable under the contract.

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

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