

By Senator Dawson

29-03579A-08

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1 A bill to be entitled

2 An act relating to occupational, physical, respiratory,  
3 and speech therapies; repealing s. 409.912(12), F.S.,  
4 which requires the Agency for Health Care Administration  
5 to establish a postpayment utilization control program  
6 designed to identify recipients who may inappropriately  
7 overuse or underuse Medicaid services; creating s.  
8 627.66912, F.S.; prohibiting a health insurance policy  
9 that covers occupational, physical, respiratory, and  
10 speech therapies from limiting such services if they are  
11 medically necessary; amending s. 641.31, F.S.; prohibiting  
12 a health maintenance organization that covers  
13 occupational, physical, respiratory, and speech therapies  
14 from limiting such services if they are medically  
15 necessary; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Subsection (12) of s. 409.912, Florida Statutes,  
20 is repealed.

21 Section 2. Section 627.66912, Florida Statutes, is created  
22 to read:

23 627.66912 Required coverage for occupational, physical,  
24 respiratory, and speech therapies.--A health insurance policy  
25 that covers occupational, physical, respiratory, and speech  
26 therapies may not limit the amounts of such services if  
27 prescribed by a treating physician or surgeon licensed in this  
28 state and such physician or surgeon certifies that such services  
29 are medically necessary and consequent to ensure rehabilitation

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30 of a condition caused by an injury or disease. The coverage  
31 required by this section is subject to the terms and conditions  
32 applicable to other benefits. This section does not apply to  
33 specified-accident, specified-disease, hospital indemnity,  
34 limited benefit disability income, or long-term care insurance  
35 policies.

36 Section 3. Subsection (41) is added to section 641.31,  
37 Florida Statutes, to read:

38 641.31 Health maintenance contracts.--

39 (41) Each health maintenance contract that provide coverage  
40 for occupational, physical, respiratory, and speech therapies may  
41 not limit the amounts of such services if prescribed by a  
42 treating physician or surgeon licensed in this state, and such  
43 physician or surgeon certifies that such services are medically  
44 necessary and consequent to ensure rehabilitation of a condition  
45 caused by an injury or disease. The coverage required by this  
46 subsection is subject to terms and conditions applicable to other  
47 benefits.

48 Section 4. This act shall take effect July 1, 2008.