

HB 53

2008

1 A bill to be entitled

2 An act relating to health insurance; providing a short  
3 title; creating ss. 627.64091 and 627.64185, F.S., and  
4 amending s. 641.31, F.S.; requiring health insurance  
5 policies, group health insurance policies, and health  
6 maintenance contracts to provide coverage for an annual  
7 screening for prostate cancer for men of a specified age  
8 or older; providing requirements for the screening;  
9 providing that coverage for prostate cancer screening does  
10 not limit diagnostic benefits otherwise allowed under the  
11 policy or contract; amending s. 627.6515, F.S.; revising a  
12 nonapplication provision relating to group, blanket, and  
13 franchise policy requirements for out-of-state group  
14 policies containing certain provisions; providing a  
15 finding that the act fulfills an important state interest;  
16 providing application; providing an effective date.

17  
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  
21 Miller 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 age 40 or older must provide coverage for annual screening for  
27 prostate cancer for such a man in accordance with the prostate  
28 cancer early detection guidelines of the National Comprehensive

29 Cancer Network.

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.

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. Section 627.64185, Florida Statutes, is created  
 41 to read:

42 627.64185 Coverage for prostate cancer screening.--

43 (1) A group health insurance policy which provides  
 44 coverage to a man age 40 or older must provide coverage for  
 45 annual screening for prostate cancer for such a man in  
 46 accordance with the prostate cancer early detection guidelines  
 47 of the National Comprehensive Cancer Network.

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

50 (a) Prostate-specific antigen blood test.

51 (b) Digital rectal examination.

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

56 (4) The benefits required by this section do not limit

57 diagnostic benefits otherwise allowable under the policy.

58 Section 4. Paragraph (c) of subsection (2) of section  
59 627.6515, Florida Statutes, is amended to read:

60 627.6515 Out-of-state groups.--

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

65 (c) The policy provides the benefits specified in ss.  
66 627.419, 627.64185, 627.6574, 627.6575, 627.6579, 627.6612,  
67 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and  
68 627.66911.

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

71 641.31 Health maintenance contracts.--

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

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

79 1. Prostate-specific antigen blood test.

80 2. Digital rectal examination.

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

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85        (d) The benefits required by this subsection do not limit  
86        diagnostic benefits otherwise allowable under the contract.

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

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