

By Senator Sobel

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1 A bill to be entitled
2 An act relating to health insurance; creating ss.
3 627.64194 and 627.66915, F.S., and amending s. 641.31,
4 F.S.; requiring individual accident or health
5 insurance policies, group, blanket, or franchise
6 accident or health insurance policies, and managed
7 care plans to evaluate and review coverage for
8 orthotics and prosthetics and orthoses and prostheses;
9 providing requirements and limitations; specifying
10 deductible and copayment recommendations; authorizing
11 insurers to specify certain benefits limitations;
12 providing for nonapplication to certain policy
13 coverages; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 627.64194, Florida Statutes, is created
18 to read:

19 627.64194 Recommended coverage for orthotics and
20 prosthetics and orthoses and prostheses.—Each accident or health
21 insurance policy issued, amended, delivered, or renewed in this
22 state on or after January 1, 2015, which provides medical
23 coverage that includes physician services in a physician's
24 office and that provides major medical or similar comprehensive
25 type coverage must evaluate and review coverage for orthotics
26 and prosthetics and orthoses and prostheses as those terms are
27 defined in s. 468.80. Such evaluation and review must compare
28 coverage provided under federal law by health insurance for the
29 aged and disabled pursuant to 42 U.S.C. ss. 1395k, 1395l, and

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30 1395m and 42 C.F.R. ss. 410.100, 414.202, 414.210, and 414.228,
31 and as applicable to this section.

32 (1) The insurance policy may recommend prior authorization
33 for orthotics and prosthetics and orthoses and prostheses in the
34 same manner that prior authorization is recommended for any
35 other covered benefit.

36 (2) Recommended benefits for orthoses or prostheses are
37 limited to the most appropriate model that adequately meets the
38 medical needs of the patient as determined by the insured's
39 treating physician. Subject to copayments and deductibles, the
40 repair and replacement of orthoses or prostheses are also
41 recommended, unless necessitated by misuse or loss.

42 (3) An insurer may require that benefits recommended
43 pursuant to this section be covered benefits only if orthotics
44 or prosthetics are rendered by an orthotist or prosthetist and
45 the orthoses or prostheses are provided by a vendor.

46 (4) This section does not apply to insurance coverage
47 recommended benefits for hospital confinement indemnity,
48 disability income, accident only, long-term care, Medicare
49 supplement, limited benefit health, specified disease indemnity,
50 sickness or bodily injury or death by accident or both, and
51 other limited benefit policies.

52 Section 2. Section 627.66915, Florida Statutes, is created
53 to read:

54 627.66915 Recommended coverage for orthoses and prostheses
55 and orthotics and prosthetics.—Each group, blanket, or franchise
56 accident or health insurance policy issued, amended, delivered,
57 or renewed in this state on or after January 1, 2015, which
58 provides coverage for physician services in a physician's office

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59 and that provides major medical or similar comprehensive type
60 coverage must evaluate and review coverage for orthotics and
61 prosthetics and orthoses and prostheses as those terms are
62 defined in s. 468.80. Such evaluation and review must compare
63 the coverage provided under federal law by health insurance for
64 the aged and disabled pursuant to 42 U.S.C. ss. 1395k, 1395l,
65 and 1395m and 42 C.F.R. ss. 410.100, 414.202, 414.210, and
66 414.228, and as applicable to this section.

67 (1) The insurance policy may recommend prior authorization
68 for orthotics and prosthetics and orthoses and prostheses in the
69 same manner that prior authorization is recommended for any
70 other covered benefit.

71 (2) Recommended benefits for orthoses or prostheses are
72 limited to the most appropriate model that adequately meets the
73 medical needs of the patient as determined by the insured's
74 treating physician. Subject to copayments and deductibles, the
75 repair and replacement of orthoses or prostheses are also
76 recommended, unless necessitated by misuse or loss.

77 (3) An insurer may require that benefits recommended
78 pursuant to this section be covered benefits only if orthotics
79 or prosthetics are rendered by an orthotist or prosthetist and
80 the orthoses or prostheses are provided by a vendor.

81 (4) This section does not apply to insurance coverage
82 recommended benefits for hospital confinement indemnity,
83 disability income, accident only, long-term care, Medicare
84 supplement, limited benefit health, specified disease indemnity,
85 sickness or bodily injury or death by accident or both, and
86 other limited benefit policies.

87 Section 3. Subsection (44) is added to section 641.31,

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88 Florida Statutes, to read:

89 641.31 Health maintenance contracts.—

90 (44) Each health maintenance contract issued, amended,
91 delivered, or renewed in this state on or after January 1, 2015,
92 which provides medical coverage that includes physician services
93 in a physician's office and that provides major medical or
94 similar comprehensive type coverage must evaluate and review
95 coverage for orthotics and prosthetics and orthoses and
96 prostheses as those terms are defined in s. 468.80. Such
97 evaluation and review must compare the coverage provided under
98 federal law by health insurance for the aged and disabled
99 pursuant to 42 U.S.C. ss. 1395k, 1395l, and 1395m and 42 C.F.R.
100 ss. 410.100, 414.202, 414.210, and 414.228, and as applicable to
101 this section.

102 (a) A health maintenance contract may recommend prior
103 authorization for orthotics and prosthetics and orthoses and
104 prostheses in the same manner that prior authorization is
105 recommended for any other covered benefit.

106 (b) Recommended benefits for orthoses or prostheses are
107 limited to the most appropriate model that adequately meets the
108 medical needs of the patient as determined by the insured's
109 treating physician. Subject to copayments and deductibles, the
110 repair and replacement of orthoses or prostheses are also
111 recommended, unless necessitated by misuse or loss.

112 (c) A health maintenance contract may require that benefits
113 recommended pursuant to this subsection be covered benefits only
114 if orthotics or prosthetics are rendered by an orthotist or
115 prosthetist and the orthoses or prostheses are provided by a
116 vendor.

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117 (d) This subsection does not apply to insurance coverage
118 recommended benefits for hospital confinement indemnity,
119 disability income, accident only, long-term care, Medicare
120 supplement, limited benefit health, specified disease indemnity,
121 sickness or bodily injury or death by accident or both, and
122 other limited benefit policies.

123 Section 4. This act shall take effect July 1, 2015.