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LEGISLATIVE ACTION

Senate	.	House
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	.	
Floor: 1b/AD/RM	.	Floor: HOUSE/AD
03/21/2016 10:43 AM	.	03/11/2016 05:48 PM
	.	

Senator Garcia moved the following:

1 **Senate Amendment to Amendment (253290) (with title**
2 **amendment)**

3
4 Delete lines 5 - 61

5 and insert:

6 Section 1. Paragraph (b) of subsection (3) of section
7 627.6686, Florida Statutes, is amended to read:

8 627.6686 Coverage for individuals with autism spectrum
9 disorder required; exception.—

10 (3) A health insurance plan issued or renewed on or after
11 April 1, 2009, shall provide coverage to an eligible individual



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12 for:

13 (b) Treatment of autism spectrum disorder and Down syndrome
14 through speech therapy, occupational therapy, physical therapy,
15 and applied behavior analysis. Applied behavior analysis
16 services shall be provided by an individual certified pursuant
17 to s. 393.17 or an individual licensed under chapter 490 or
18 chapter 491.

19 Section 2. Paragraph (b) of subsection (3) of section
20 641.31098, Florida Statutes, is amended to read:

21 641.31098 Coverage for individuals with developmental
22 disabilities.-

23 (3) A health maintenance contract issued or renewed on or
24 after April 1, 2009, shall provide coverage to an eligible
25 individual for:

26 (b) Treatment of autism spectrum disorder and Down
27 syndrome, through speech therapy, occupational therapy, physical
28 therapy, and applied behavior analysis services. Applied
29 behavior analysis services shall be provided by an individual
30 certified pursuant to s. 393.17 or an individual licensed under
31 chapter 490 or chapter 491.

32 Section 3. Notwithstanding the enactment of subsection (2)
33 made to s. 627.42392, Florida Statutes, by HB 423, 1st Eng.,
34 2016 Regular Session, subsection (2) of s. 627.42392, Florida
35 Statutes, is enacted to read:

36 (2) Notwithstanding any other provision of law,
37 effective January 1, 2017 or six (6) months after the effective
38 date of the rule adopting the prior authorization form,
39 whichever is later, a health insurer, or a pharmacy benefits
40 manager on behalf of the health insurer, which does not provide



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41 an electronic prior authorization process for use by its
42 contracted providers, shall only use the prior authorization
43 form that has been approved by the Financial Services
44 Commission for granting a prior authorization for a medical
45 procedure, course of treatment, or prescription drug benefit.
46 Such form may not exceed two pages in length, excluding any
47 instructions or guiding documentation, and must include all
48 clinical documentation necessary for health insurer to make a
49 decision. At a minimum, the form must include: (1) sufficient
50 patient information to identify the member, date of birth, full
51 name, and Health Plan ID number; (2) Provider name, address and
52 phone number; (3) the medical procedure, course of treatment, or
53 prescription drug benefit being requested, including the medical
54 reason therefor, and all services tried and failed; (4) any
55 laboratory documentation required; and (5) an attestation that
56 all information provided is true and accurate.

57 Section 4. It is the intent of the Legislature that the
58 enactment of s. 627.42392(2), Florida Statutes, made by this act
59 shall control over the enactment of that subsection made by HB
60 423, 1st Eng., 2016 Regular Session, regardless of the order in
61 which the bills are enacted.

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 335 - 344

66 and insert:

67 plan to provide specified coverage for treatment of
68 Down syndrome; amending s. 641.31098, F.S.; requiring
69 a specified health maintenance contract to provide



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70 specified health maintenance contract to provide
71 specified coverage for treatment of Down syndrome;
72 enacting s. 627.42392, F.S.; requiring a health
73 insurer or a pharmacy benefits manager to only use a
74 certain form; providing requirements for such form;
75 providing legislative intent that the enactment of s.
76 627.42392(2), F.S., made by this act controls;
77 amending s.