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# ***Action Packet***

## **Committee on Health Innovation**

**Tuesday, March 18, 2008  
8:30 AM - 10:45 AM  
Morris Hall (17 HOB)**

**Marco Rubio  
Speaker**

**Rene Garcia  
Chair**

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Rene Garcia (Chair)			X
James Frishe	X		
Eduardo Gonzalez			X
Ed Homan	X		
Jimmy Patronis	X		
Ari Porth	X		
Maria Sachs	X		
Franklin Sands	X		
Will Weatherford	X		
<b>Totals:</b>	<b>7</b>	<b>0</b>	<b>2</b>

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

HB 19 : Coverage for Mental, Nervous, and Substance-related Disorders

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
James Frishe	X				
Eduardo Gonzalez			X		
Ed Homan	X				
Jimmy Patronis	X				
Ari Porth	X				
Maria Sachs	X				
Franklin Sands	X				
Will Weatherford		X			
Rene Garcia (Chair)			X		
<b>Total Yeas: 6</b>		<b>Total Nays: 1</b>			

### Appearances:

Dr. Frank M. Brocato, CEO (General Public) - Information Only  
Employers Health Coalition  
111 N. Westshore, Suite 608  
Tampa Florida 33607  
Phone: (813) 281-5665

Joy Ryan (State Employee) - Opponent  
America's Health Insurance Plans  
204 S. Monroe Street  
Tallahassee Florida 323091  
Phone: (850) 681-6710

Waived Time in Support  
Stephen Winn (Lobbyist) - Proponent  
Executive Director  
Florida Osteopathic Medical Association 2007 Apalachee Parkway  
Tallahassee Florida 32301  
Phone: (850) 878-3056

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

HB 329 : Reimbursement of Medicaid Providers

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
James Frishe	X				
Eduardo Gonzalez			X		
Ed Homan	X				
Jimmy Patronis	X				
Ari Porth	X				
Maria Sachs	X				
Franklin Sands	X				
Will Weatherford	X				
Rene Garcia (Chair)			X		
<b>Total Yeas: 7</b>		<b>Total Nays: 0</b>			

### Appearances:

Waived Time in Support

Jim Daughton (Lobbyist) - Proponent  
Florida Academy of Family Physicians  
215 S. Monroe St.  
Tallahassee Florida 32301  
Phone: (850) 205-9000

John Grant (Lobbyist) - Proponent  
Florida Academy of Pediatric Dentists  
10025 Orange Grove Dr.  
Tampa Florida 33618  
Phone: (813) 787-9900

Waived Time in Support

Joe Anne Hart (State Employee) - Proponent  
Florida Dental Association  
118 E. Jefferson Street  
Tallahassee Florida 32301  
Phone: (850) 224-1089

Waived Time in Support

Michelle Jacquis (Lobbyist) - Proponent  
Florida Medical Association  
123 S. Adams Street  
Tallahassee Florida 32301  
Phone: (850) 224-6496

Linda Merreu - Proponent

Child Health Advocate  
Ormond Beach Florida 32176  
Phone: (386) 295-3651

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

**Location:** Morris Hall (17 HOB)

Anna Small (Lobbyist) - Proponent

Florida Nurses Association

215 S. Monroe Street, #400

Tallahassee Florida 32301

Phone: (850) 681-6810

Louis B. St. Petery, MD (General Public) - Information Only

Executive Vice President

Florida Pediatric Society 1132 Lee Ave.

Tallahassee Florida 32303

Phil Williams (State Employee) - Information Only

Acting Assistant Deputy Secretary for Medicaid Fraud

Agency for Health Care Administration 2727 Mahan Dr.

Tallahassee Florida 32308

Phone: (850) 414-2756

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

HB 709 : Optional Coverage for Health-Related Disorders

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
James Frishe	X				
Eduardo Gonzalez			X		
Ed Homan	X				
Jimmy Patronis		X			
Ari Porth	X				
Marla Sachs	X				
Franklin Sands	X				
Will Weatherford		X			
Rene Garcia (Chair)			X		
<b>Total Yeas: 5</b>		<b>Total Nays: 2</b>			

### Appearances:

Jim Bracher (Lobbyist) - Opponent  
Florida Association of Health Plans  
200 W College Ave. Suite 104  
Tallahassee Florida 32301  
Phone: (850) 386-2904

Ken Detzner (Lobbyist) - Proponent  
Children's Magic  
1317 Woodgate Way  
Tallahassee Florida 32308  
Phone: (850) 980-6201

Christopher Jolley, MD (State Employee) - Proponent  
Children's Magic  
P.O. Box 389  
Melrose Florida 32666  
Phone: (352) 733-0094

Erica Kinsey (General Public) - Information Only  
Self  
6223 Buck Run Circle  
Tallahassee Florida 32312  
Phone: (850) 668-3522

Joy Ryan (Lobbyist) - Opponent  
America's Health Insurance Plans  
204 S. Monroe Street  
Tallahassee Florida 32312  
Phone: (850) 681-6710

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 851 : Decisionmaking in Health Care**

*Temporarily Deferred*

### Appearances:

Lisa Bush, RN (General Public) - Proponent

SEIU Healthcare Local 1991

18441 NW 2nd Ave.

Miami Gardens Florida 33169

Phone: (305) 620-6555

Betsy Marville, RN (General Public) - Proponent

SEIU Healthcare Florida

9914B 62nd Terrace South

Boynton Beach Florida 33437

Phone: (561) 735-1179

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

HB 1059 : Exemptions from the Tax on Sales, Use, and Other Transactions

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
James Frishe	X				
Eduardo Gonzalez			X		
Ed Homan			X		
Jimmy Patronis	X				
Ari Porth	X				
Maria Sachs			X		
Franklin Sands	X				
Will Weatherford	X				
Rene Garcia (Chair)			X		
<b>Total Yeas: 5</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM



# COMMITTEE MEETING REPORT

Committee on Health Innovation

3/18/2008 8:30:00AM

**Location:** Morris Hall (17 HOB)

**HB 1099 : Certificate-of-Need Exemptions**

*Temporarily Deferred*

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

Print Date: 3/18/2008 2:25 pm

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# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

Location: Morris Hall (17 HOB)

HB 1291 : Autism Spectrum Disorder

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
James Frishe		X			
Eduardo Gonzalez			X		
Ed Homan	X				
Jimmy Patronis		X			
Ari Porth	X				
Maria Sachs	X				
Franklin Sands	X				
Will Weatherford		X			
Rene Garcia (Chair)			X		
<b>Total Yeas: 4</b>		<b>Total Nays: 3</b>			

### Appearances:

Bart Barta (General Public) - Proponent

Self

13825 NW 20 St.

Pembroke Pines Florida 33028

Phone: (954) 436-9759

Bob Kanjian (General Public) - Proponent

Self

2502 N. Dixie Highway

Lake Worth Florida 33460

Victoria Zepp (General Public) - Proponent

Self

2111 Ellicott Dr.

Tallahassee Florida 32308

Phone: (850) 386-5790

Zac Zepp (General Public) - Proponent

Self

2111 Ellicott Dr.

Tallahassee Florida 32308

Phone: (850) 386-5750

Waived Time in Support

Ron Watson (Lobbyist) (General Public) - Proponent

Self

3738 Mundon Way

Tallahassee Florida 32309

Phone: (850) 878-3411

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM

# **COMMITTEE MEETING REPORT**

## **Committee on Health Innovation**

**3/18/2008 8:30:00AM**

**Location:** Morris Hall (17 HOB)

Waived Time in Support

Dr. Susan Gold, Vice Chair (General Public) - Proponent

Florida Developmental Disabilities Council

124 Marriott Dr., Suite 203

Tallahassee Florida

Phone: (850) 488-4188

**Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM**

# COMMITTEE MEETING REPORT

## Committee on Health Innovation

3/18/2008 8:30:00AM

**Location:** Morris Hall (17 HOB)

### Summary:

#### Committee on Health Innovation

*Tuesday March 18, 2008 08:30 am*

HB 19	Favorable With Amendments (1)	Yeas: 6	Nays: 1
HB 329	Favorable With Amendments (1)	Yeas: 7	Nays: 0
HB 709	Favorable With Amendments (1)	Yeas: 5	Nays: 2
HB 851	Temporarily Deferred		
HB 1059	Favorable With Amendments (1)	Yeas: 5	Nays: 0
HB 1099	Temporarily Deferred		
HB 1291	Favorable With Amendments (1)	Yeas: 4	Nays: 3

Committee meeting was reported out: Tuesday, March 18, 2008 2:24:51PM



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 19**

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER \_\_\_\_\_

1 Council/Committee hearing bill: Health Innovation

2 Representative(s) Homan offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 627.668, Florida Statutes, is amended  
7 to read:

8 627.668 Optional coverage for mental and nervous disorders  
9 required; exception.--

10 (1) Every insurer, health maintenance organization, and  
11 nonprofit hospital and medical service plan corporation  
12 transacting group health insurance or providing prepaid health  
13 care in this state shall make available to the policyholder as  
14 part of the application, for an appropriate additional premium  
15 under a group hospital and medical expense-incurred insurance  
16 policy, under a group prepaid health care contract, and under a  
17 group hospital and medical service plan contract, the benefits  
18 or level of benefits specified in subsections (2) and (3)  
19 ~~subsection (2)~~ for the necessary care and treatment of mental  
20 and nervous disorders, as defined in the ~~standard nomenclature~~  
21 most recent edition of the Diagnostic and Statistical Manual of  
22 Mental Disorders published by the American Psychiatric

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.   1   (for drafter's use only)

23 Association, subject to the right of the applicant for a group  
24 policy or contract to select any alternative benefits or level  
25 of benefits as may be offered by the insurer, health maintenance  
26 organization, or service plan corporation provided that, if  
27 alternate inpatient, outpatient, or partial hospitalization  
28 benefits are selected, such benefits shall not be less than the  
29 level of benefits required under subsections (2) and (3)  
30 ~~paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c),~~  
31 ~~respectively.~~

32 (2) Under group policies or contracts, inpatient hospital  
33 benefits, partial hospitalization benefits, and outpatient  
34 benefits consisting of durational limits, dollar amounts,  
35 deductibles, and coinsurance factors shall not be less favorable  
36 than for physical illness generally for the necessary care and  
37 treatment of schizophrenia, schizo-affective disorders, major  
38 depression, bipolar disorders, panic disorders, generalized  
39 anxiety disorders, posttraumatic stress disorders, substance  
40 abuse disorders, eating disorders, delirium, dementia, childhood  
41 ADD/ADHD, developmental disorders, borderline personality  
42 disorder, and mental disorder due to a medical condition.

43 ~~(3)-(2)~~ Under group policies or contracts, inpatient  
44 hospital benefits, partial hospitalization benefits, and  
45 outpatient benefits for mental health disorders not listed in  
46 subsection (2) shall not be less favorable than for physical  
47 illness generally, except that:

48 (a) Inpatient benefits may be limited to not less than 45  
49 ~~30~~ days per benefit year as defined in the policy or contract.  
50 If inpatient hospital benefits are provided beyond 45 ~~30~~ days  
51 per benefit year, the durational limits, dollar amounts, and  
52 coinsurance factors thereto need not be the same as applicable  
53 to physical illness generally.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

54 (b) Outpatient benefits may be limited to \$5,000 ~~\$1,000~~  
55 for consultations with a licensed physician, a psychologist  
56 licensed pursuant to chapter 490, a mental health counselor  
57 licensed pursuant to chapter 491, a marriage and family  
58 therapist licensed pursuant to chapter 491, and a clinical  
59 social worker licensed pursuant to chapter 491. If benefits are  
60 provided beyond the \$5,000 ~~1,000~~ per benefit year, the  
61 durational limits, dollar amounts, and coinsurance factors  
62 thereof need not be the same as applicable to physical illness  
63 generally.

64 (c) Partial hospitalization benefits shall be provided  
65 under the direction of a licensed physician. For purposes of  
66 this part, the term "partial hospitalization services" is  
67 defined as those services offered by a program accredited by the  
68 Joint Commission on Accreditation of Hospitals (JCAH) or in  
69 compliance with equivalent standards. Alcohol rehabilitation  
70 programs accredited by the Joint Commission on Accreditation of  
71 Hospitals or approved by the state and licensed drug abuse  
72 rehabilitation programs shall also be qualified providers under  
73 this section. In any benefit year, if partial hospitalization  
74 services or a combination of inpatient and partial  
75 hospitalization are utilized, the total benefits paid for all  
76 such services shall not exceed the cost of 30 days of inpatient  
77 hospitalization for psychiatric services, including physician  
78 fees, which prevail in the community in which the partial  
79 hospitalization services are rendered. If partial  
80 hospitalization services benefits are provided beyond the limits  
81 set forth in this paragraph, the durational limits, dollar  
82 amounts, and coinsurance factors thereof need not be the same as  
83 those applicable to physical illness generally.



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.   1   (for drafter's use only)

84       ~~(4)~~(3) Insurers must maintain strict confidentiality  
85 regarding psychiatric and psychotherapeutic records submitted to  
86 an insurer for the purpose of reviewing a claim for benefits  
87 payable under this section. These records submitted to an  
88 insurer are subject to the limitations of s. 456.057, relating  
89 to the furnishing of patient records.

90       Section 2. Section 627.669, Florida Statutes, is repealed.

91       Section 3. Paragraph (b) of subsection (8) of section  
92 627.6675, Florida Statutes, is amended to read:

93       627.6675 Conversion on termination of  
94 eligibility.--Subject to all of the provisions of this section,  
95 a group policy delivered or issued for delivery in this state by  
96 an insurer or nonprofit health care services plan that provides,  
97 on an expense-incurred basis, hospital, surgical, or major  
98 medical expense insurance, or any combination of these  
99 coverages, shall provide that an employee or member whose  
100 insurance under the group policy has been terminated for any  
101 reason, including discontinuance of the group policy in its  
102 entirety or with respect to an insured class, and who has been  
103 continuously insured under the group policy, and under any group  
104 policy providing similar benefits that the terminated group  
105 policy replaced, for at least 3 months immediately prior to  
106 termination, shall be entitled to have issued to him or her by  
107 the insurer a policy or certificate of health insurance,  
108 referred to in this section as a "converted policy." A group  
109 insurer may meet the requirements of this section by contracting  
110 with another insurer, authorized in this state, to issue an  
111 individual converted policy, which policy has been approved by  
112 the office under s. 627.410. An employee or member shall not be  
113 entitled to a converted policy if termination of his or her  
114 insurance under the group policy occurred because he or she

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

115 failed to pay any required contribution, or because any  
116 discontinued group coverage was replaced by similar group  
117 coverage within 31 days after discontinuance.

118 (8) BENEFITS OFFERED.--

119 (b) An insurer shall offer the benefits specified in s.  
120 627.668 and the benefits specified in s. ~~627.669~~ if those  
121 benefits were provided in the group plan.

122 ~~0~~ Section 4. This act shall take effect October 1,  
123 2008, and shall apply to policies and contracts issued or  
124 renewed on or after that date.

125

126

127

-----  
**T I T L E   A M E N D M E N T**

128

129

Remove the entire title and insert:

130

An act relating to coverage for mental and nervous  
131 disorders; amending s. 627.668, F.S.; revising

132

requirements for optional coverage for mental and nervous  
133 disorders; repealing s. 627.669, F.S., relating to

133

134

optional coverage required for substance abuse impaired

135

persons; amending s. 627.6675, F.S.; conforming a cross-  
136 reference; providing an effective date.

136

137

138

House of Representatives  
COMMITTEE BILL ACTION WORKSHEET

Committee/Subcommittee on HEALTH INNOVATION Bill No. HB 329  
 Meeting Date 3-18-08 Time 8:30 AM Place Morris Hall

COMMITTEE ACTION:

- Favorable
- Favorable with Amendments 1
- Favorable with Committee Substitute
- Unfavorable
- Temporarily Deferred
- Reconsidered

Other Action: \_\_\_\_\_

Final Vote on Bill		Members	#1							
			Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
✓		Rep. Jim Frishe								
		Rep. Eduardo Gonzalez								
✓		Rep. Ed Homan								
✓		Rep. Jimmy Patronis								
✓		Rep. Ari Porth								
✓		Rep. Maria Lorts Sachs								
✓		Rep. Franklin Sands								
✓		Rep. Will Weatherford								
		Rep. Rene Garcia, Chair								
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
7	0	TOTALS	(A)							

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 329**

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

1 Council/Committee hearing bill: Health Innovation  
2 Representative(s) Bucher offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 41-49 and insert:

6 (d) Notwithstanding any other provision of this  
7 subsection, the agency shall provide reimbursement for physician  
8 and dental services provided for children younger than 21 years  
9 of age pursuant to the following:

10 1. Physician services shall be reimbursed at least at 120  
11 percent of the 2007 Medicare Physician Fee Schedule with an  
12 annual adjustment in subsequent years equal to the increase in  
13 the Medical Consumer Price Index.

14 2. Dental services for each respective procedure shall be  
15 reimbursed at a rate equal to the 50th percentile of fees  
16 charged in a respective geographical area as reported by the  
17 National Dental Advisory Service.

18  
19 The agency shall include in all managed care contracts a  
20 requirement to provide at least such reimbursement for physician  
21 and dental services.

House of Representatives  
COMMITTEE BILL ACTION WORKSHEET

Committee/Subcommittee on HEALTH INNOVATION Bill No. HB 709

Meeting Date 3-18-08 Time 8:30 Am Place Morris Hall

COMMITTEE ACTION:

- Favorable
- Favorable with Amendments 1
- Favorable with Committee Substitute
- Unfavorable
- Temporarily Deferred
- Reconsidered

Other Action: \_\_\_\_\_

Final Vote on Bill		Members	#1							
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<input checked="" type="checkbox"/>		Rep. Jim Frishe								
		Rep. Eduardo Gonzalez								
<input checked="" type="checkbox"/>		Rep. Ed Homan								
	<input checked="" type="checkbox"/>	Rep. Jimmy Patronis								
<input checked="" type="checkbox"/>		Rep. Ari Porth								
<input checked="" type="checkbox"/>		Rep. Maria Lorts Sachs								
<input checked="" type="checkbox"/>		Rep. Franklin Sands								
	<input checked="" type="checkbox"/>	Rep. Will Weatherford								
		Rep. Rene Garcia, Chair								
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
5	2	TOTALS	(A)							

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 709**

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

1 Council/Committee hearing bill: Health Innovation  
2 Representative(s) Cusack offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 627.42395, Florida Statutes, is amended  
7 to read:

8 627.42395 Coverage for certain prescription and  
9 nonprescription enteral or amino acid formulas.--

10 (1) Notwithstanding any other provision of law, any health  
11 insurance policy delivered or issued for delivery, to any person  
12 in this state or any group, blanket, or franchise health  
13 insurance policy delivered or issued for delivery in this state  
14 shall make available to the policyholder as part of the  
15 application, for an appropriate additional premium, coverage  
16 for:

17 (a) Prescription and nonprescription enteral formulas for  
18 home use which are physician prescribed as medically necessary  
19 for the treatment of inherited diseases of amino acid, organic  
20 acid, carbohydrate, or fat metabolism as well as malabsorption  
21 originating from congenital defects present at birth or acquired  
22 during the neonatal period. Such coverage for inherited diseases

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 of amino acids and organic acids shall include food products  
24 modified to be low protein, in an amount not to exceed \$2,500  
25 annually for any insured individual, through the age of 24.

26 (b) Amino-acid-based elemental formulas, regardless of the  
27 method of intake, for the medically necessary treatment of  
28 medically diagnosed conditions of severe multiple food protein  
29 allergies, gastroesophageal reflux, eosinophilic disorders, and  
30 short bowel syndrome when ordered by a licensed physician.  
31 Treatments using amino acid-based elemental formulas must be  
32 medically necessary and appropriate treatment that is consistent  
33 with the person's symptoms, diagnosis, condition, and follows  
34 generally accepted professional medical standards; provided to  
35 achieve a level of physical or mental function consistent with  
36 prevailing standards for the diagnosis or condition; and it is  
37 not furnished primarily for the convenience of the person or  
38 provider. Conditions using these formulas for experimental or  
39 investigational services shall not be medically necessary.

40 (2) This section applies to any person or family  
41 notwithstanding the existence of any preexisting condition.

42 Section 2. Subsection (41) is added to section 641.31,  
43 Florida Statutes, to read:

44 641.31 Health maintenance contracts.--

45 (41) A health maintenance contract must provide coverage  
46 of amino-acid-based elemental formulas, regardless of the method  
47 of intake, for the medically necessary treatment of medically  
48 diagnosed conditions such as severe multiple food protein  
49 allergies, gastroesophageal reflux, eosinophilic disorders, and  
50 short bowel syndrome when ordered by a licensed physician.  
51 Treatments using amino acid-based elemental formulas must be  
52 medically necessary and appropriate treatment that is consistent  
53 with the person's symptoms, diagnosis, condition, and follows

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

54 generally accepted professional medical standards; provided to  
55 achieve a level of physical or mental function consistent with  
56 prevailing standards for the diagnosis or condition; and it is  
57 not furnished primarily for the convenience of the person or  
58 provider. Conditions using these formulas for experimental or  
59 investigational services shall not be medically necessary.

60 Section 3. This act shall take effect October 1, 2008.

61  
62  
63 -----  
64 **T I T L E A M E N D M E N T**

65 Remove the entire title and insert:

66 An act relating to optional coverage for health-related  
67 disorders; amending s. 627.42395, F.S.; including certain amino-  
68 acid-based formulas within requirements concerning optional  
69 coverage for enteral formulas; amending s. 641.31, F.S.;  
70 including coverage of certain amino-acid-based formulas within  
71 requirements concerning health maintenance contracts; providing  
72 an effective date.

73





House of Representatives  
COMMITTEE BILL ACTION WORKSHEET

Committee/Subcommittee on HEALTH INNOVATION Bill No. HB 1059

Meeting Date 3-18-08 Time 8:30 Am Place Morris Hall

COMMITTEE ACTION:

- Favorable
- Favorable with Amendments 1
- Favorable with Committee Substitute
- Unfavorable
- Temporarily Deferred
- Reconsidered

Other Action: \_\_\_\_\_

Final Vote on Bill		Members	#1							
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<input checked="" type="checkbox"/>		Rep. Jim Frishe								
		Rep. Eduardo Gonzalez								
		Rep. Ed Homan								
<input checked="" type="checkbox"/>		Rep. Jimmy Patronis								
<input checked="" type="checkbox"/>		Rep. Ari Porth								
		Rep. Maria Lorts Sachs								
<input checked="" type="checkbox"/>		Rep. Franklin Sands								
<input checked="" type="checkbox"/>		Rep. Will Weatherford								
		Rep. Rene Garcia, Chair								
5	0	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays

(A)

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1059**

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

1 Council/Committee hearing bill: Committee on Health Innovation  
2 Representative(s) Llorente offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (ii) of subsection (7) of section  
7 212.08, Florida Statutes, is amended to read:

8 212.08 Sales, rental, use, consumption, distribution, and  
9 storage tax; specified exemptions.--The sale at retail, the  
10 rental, the use, the consumption, the distribution, and the  
11 storage to be used or consumed in this state of the following  
12 are hereby specifically exempt from the tax imposed by this  
13 chapter.

14 (7) MISCELLANEOUS EXEMPTIONS.--Exemptions provided to any  
15 entity by this chapter do not inure to any transaction that is  
16 otherwise taxable under this chapter when payment is made by a  
17 representative or employee of the entity by any means,  
18 including, but not limited to, cash, check, or credit card, even  
19 when that representative or employee is subsequently reimbursed  
20 by the entity. In addition, exemptions provided to any entity by  
21 this subsection do not inure to any transaction that is  
22 otherwise taxable under this chapter unless the entity has

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Amendment No.   /   (for drafter's use only)

23 obtained a sales tax exemption certificate from the department  
24 or the entity obtains or provides other documentation as  
25 required by the department. Eligible purchases or leases made  
26 with such a certificate must be in strict compliance with this  
27 subsection and departmental rules, and any person who makes an  
28 exempt purchase with a certificate that is not in strict  
29 compliance with this subsection and the rules is liable for and  
30 shall pay the tax. The department may adopt rules to administer  
31 this subsection.

32 (ii) Nonprofit cooperative hospital laundries.--Also  
33 exempt ~~from the tax imposed by this chapter~~ are sales or leases  
34 to nonprofit organizations that are incorporated under chapter  
35 617 and which are treated, for federal income tax purposes, as  
36 cooperatives under subchapter T of the Internal Revenue Code,  
37 whose sole purpose is to offer laundry supplies and services to  
38 their members who, which members must all be exempt from federal  
39 income tax pursuant to s. 501(c)(3) of the Internal Revenue  
40 Code. A member of a nonprofit cooperative hospital laundry whose  
41 Internal Revenue Code status changes must, within 90 days after  
42 such change, divest all participation in the cooperative. The  
43 provision of laundry supplies and services to a nonmember  
44 business pursuant to a declaration of an emergency under s.  
45 252.36(2) and a written emergency plan of operation executed by  
46 the members of the cooperative does not invalidate or cause the  
47 denial of the cooperative's certificate of exemption.

48 Section 2. This act shall take effect July 1, 2008.  
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**T I T L E   A M E N D M E N T**

Remove entire title and insert:

A bill to be entitled

An act relating to tax exemptions for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; providing an effective date.





HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1291**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Council/Committee hearing bill: Health Innovation

2 Representative(s) Porth offered the following:

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4 **Amendment (with directory and title amendments)**

5 Remove line(s) 345-346 and insert:

6 Section 6. Paragraph (a) of subsection (1) of section  
7 1004.55, Florida Statutes, is amended to read:

8 1004.55 Regional autism centers.--

9 (1) Seven regional autism centers are established to  
10 provide nonresidential resource and training services for  
11 persons of all ages and of all levels of intellectual  
12 functioning who have autism, as defined in s. 393.063; who have  
13 a pervasive developmental disorder that is not otherwise  
14 specified; who have an autistic-like disability; who have a dual  
15 sensory impairment; or who have a sensory impairment with other  
16 handicapping conditions. Each center shall be operationally and  
17 fiscally independent and shall provide services within its  
18 geographical region of the state. Service delivery shall be  
19 consistent for all centers. Each center shall coordinate  
20 services within and between state and local agencies and school  
21 districts but may not duplicate services provided by those



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22 agencies or school districts. The respective locations and  
23 service areas of the centers are:

24 (a) The College of Medicine ~~Department of Communication~~  
25 ~~Disorders~~ at Florida State University, which serves Bay,  
26 Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson,  
27 Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor,  
28 Wakulla, Walton, and Washington Counties.

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**T I T L E   A M E N D M E N T**

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33 Remove line(s) 45 and insert:

34 providing application; amending s. 1004.55, F.S.; specifying the  
35 College of Medicine at Florida State University as a regional  
36 autism center for specified counties; providing an effective  
37 date.

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