

## Committee Substitute for House Bill No. 377

An act relating to organ transplants; amending s. 381.0602, F.S.; increasing membership of the Organ Transplant Advisory Council; increasing the term of the council chair; amending s. 627.4236, F.S.; requiring that coverage for bone-marrow-transplant procedures include costs of the donor patient; providing a limitation; providing a legislative finding of an important state interest; providing an effective date.

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

Section 1. Subsections (1) and (4) of section 381.0602, Florida Statutes, are amended to read:

381.0602 Organ Transplant Advisory Council; membership; responsibilities.—

(1) There is hereby created within the Agency for Health Care Administration a statewide technical Organ Transplant Advisory Council consisting of ~~twelve~~ ~~eight~~ members to represent the interests of the public and the clients of the Department of Health or the agency. The members shall be physicians licensed according to chapter 458 or chapter 459. A person employed by the agency may not be appointed as a member of the council.

(4) The members of the council shall elect a chairperson. The term of the chairperson shall be for 2 years ~~1-year~~, and an individual may not serve as chairperson for more than two consecutive terms.

Section 2. Subsection (2) of section 627.4236, Florida Statutes, is amended to read:

627.4236 Coverage for bone marrow transplant procedures.—

(2) An insurer or a health maintenance organization may not exclude coverage for bone marrow transplant procedures recommended by the referring physician and the treating physician under a policy exclusion for experimental, clinical investigative, educational, or similar procedures contained in any individual or group health insurance policy or health maintenance organization contract issued, amended, delivered, or renewed in this state that covers treatment for cancer, if the particular use of the bone marrow transplant procedure is determined to be accepted within the appropriate oncological specialty and not experimental pursuant to subsection (3). Covered bone-marrow-transplant procedures must include costs associated with the donor-patient to the same extent and limitations as costs associated with the insured, except the reasonable costs of searching for the donor may be limited to immediate family members and the National Bone Marrow Donor Program.

Section 3. The Legislature finds that the provisions of this act fulfill an important state interest.

Section 4. This act shall take effect January 1, 2000.

Approved by the Governor June 8, 1999.

Filed in Office Secretary of State June 8, 1999.