

CONSTITUTIONAL AMENDMENT PETITION FORM

Note:

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.
- Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.08, Florida Statutes, to knowingly sign more than one petition for an issue. [Section 104.185, Florida Statutes]
- If all requested information on this form is not completed, the form will not be valid.

Your name _____
Please Print Name as it appears on your Voter Information Card

Your address _____

City _____ Zip _____ County _____

Please change my legal residence address on my voter registration record to the above residence address (check box, if applicable).

Voter Registration Number _____ **or** Date of Birth _____

I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election

BALLOT TITLE: Basic Acupuncture Benefits for Legal Residents of Florida

BALLOT SUMMARY: Provides Legal Florida Resident Basic Acupuncture Coverage, as defined in Florida Statutes, for illnesses and/or conditions listed and have those treatments paid through insurance by defining Basic Coverage guidelines.

ARTICLE AND SECTION BEING CREATED OR AMENDED: Article X Section 29

FULL TEXT OF THE PROPOSED CONSTITUTIONAL AMENDMENT: Acupuncture shall become a covered healthcare benefit for any accident, supplemental or health insurance policy issued, amended, delivered, or renewed in Florida.

(a) Public Policy

(1) No health plan provider networks may exclude any health care practitioner licensed by the Florida Department of Health.

(2) A health insurance policy subscriber may select between available providers where treatment is appropriate to either, and where both are health care practitioners licensed by the Florida Board of Health.

(3) Availability of coverage cannot be used to discriminate against licensed healthcare practitioners.

(b) Definitions. For purposes of this section, the following words and terms shall have the following meanings:

(1) "Acupuncture" as defined in Chapter 457 of the Florida Statutes is a non-experimental, Essential Health Benefit.

(2) "Acupuncturist" as defined in chapter 457 of the Florida Statutes and Rules, means any person licensed to practice acupuncture as a Form of Primary Healthcare or other Licensed Healthcare Practitioners authorized to perform Acupuncture services who has a minimum of 750 hours of supervised Acupuncture training in a clinical setting.

(3) "Covered Procedures" to include but not limited to: (a) Acupuncture, utilizing Filiform needles or lancets, to directly and indirectly stimulate acupuncture points and meridians; (b) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians; (c) Moxibustion; (d) Acupressure; (e) Cupping; (f) Dermal friction technique; (g) Infra-red and/or Diathermy Lamp; (h) Point injection therapy (aquapuncture); (i) East Asian massage and/ or Tuina, which is a method of East Asian bodywork, characterized by the kneading, pressing, rolling, shaking, and stretching of the body and does not include spinal manipulation; (j) Superficial heat and cold therapies; (k) Dry Needle, using hypodermic needles to stimulate trigger points. Any covered procedure proven to have no health benefit for an Illness or Condition shall become a discontinued procedure for that illness and/or condition only. The Board may add Procedures it deems necessary to improve overall health and wellbeing.

(4) "Insurance Premiums" means the payment for healthcare benefits shall not increase for inclusion of Acupuncture benefits alone.

(5) "Payment for Services" All payments shall be paid directly to the Provider of services, whether in or out of network.

(6) "Basic Covered Illnesses" means those illnesses and/or conditions listed but shall not be limited to:

(A) Addiction and Chemical Dependency: Smoking; Prescription and/or Illegal Drugs.

(B) Pain And Injuries: all Pains, Strains and Sprains as listed in the ICD-9-CM until such time another set of codes are implemented.

(C) Gynecology, Obstetrics & Fertility: Dysmenorrhea; Irregular Menstruation; Amenorrhea PMS; Endometriosis; Vaginitis; Breast Pain; PMMD; Menstrual Migraine; Menstrual Bloating; Infertility; Anovulation, Lactation Support; Irregular Bleeding; Menopause: hot flashes/night sweats; Uterine Fibroids; Breast Fibroids; Morning Sickness; Elevated FSH

(D) Emotional & Psychological Conditions: Depression; Anxiety; Insomnia; Bipolar Disorder; PTSD; PMS or PMMD

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(Continued from front)

(E) Ear, Nose & Throat Disorders: Rhinitis/Sinusitis; Meniere's; Sinus Pain; Tinnitus Vertigo; Ear Infection; Allergies; Sore Throat/Strep; Flu or Cold; Blocked/Congested Ears

(F) Eye Conditions: Blurry Vision; Eye Twitching; Dry, Red or Itchy Eyes, Floaters; Allergies; Macular Degeneration

(G) Heart & Lung Conditions: Asthma; Cough; Pneumonia; Anemia; Heart; Arrhythmia; Hypertention; Bronchitis; Heart Palpitations. Children under 18 years of age shall have unlimited visits for Asthma, Bronchitis

(H) Digestive Conditions: IBS; Crohn's; Acid Reflux; Indigestion; Constipation; Gallbladder Disorders; Gas; Bloating; Cramping; Diarrhea; Gall Stones

(I) Bladder & Kidney Disorders: Frequent Urination; Kidney Stones; Painful Urination; Urinary Tract Infection; Kidney Pain; Incontinence

(J) Metabolic Disorders: Hyperthyroid; Chronic Fatigue Syndrome; Hypothyroid; Fatigue: Unexplained Weight Gain or Weight loss; Insomnia; ADHD; Disorder of Metabolism; ADD. Children under 18 years for of age shall have unlimited treatments for ADD and ADHD

(K) Auto-Immune Disorders: MS; Lupus; Osteo-Arthritis; HIV; Rheumatoid Arthritis

(L) Cancer: Adjunct Care with unlimited treatments when under another Licensed Healthcare Professional's care: Anemia; Loss of Appetite; Fatigue; Anxiety; Nausea; Depression

Note: There are many obscure medical conditions that can benefit from acupuncture and/or Traditional Chinese Medicine that are not listed above. Additional illnesses and/or Services may be included by the Board, which they deem necessary for a resident's health and wellbeing.

(7) "Referrals" from MD, DO's or other authorized Licensed Medical Professional shall be covered for any illness or additional treatments deemed medically necessary.

(8) "Limits" shall be equal to or greater than Federal Acupuncture Coverage as of January 1, 2015, currently 24 visits per calendar year, with no referral required

(9) "Board" means Board of Acupuncture

(10) "Claims Processing" shall be processed in accordance with Florida Statutes and rules except when Medicare is Primary. When Medicare is primary, claims for all covered acupuncture procedures shall be processed without request for Medicare EOB's, Explanation of Benefits, until such time as Acupuncture is included in Medicare coverage.

(11) "Insurance Copays" shall be equal to or less than an Insured's Primary Care Physician as Acupuncture is listed in Florida Statue 457.102 (1) as a Form of Primary Health Care.

(12) "Equal Rights" means any entity, Employer, Insurance Company, State and Local Government etc., Licensed and/or Regulated, Conducting business in the State of Florida and provides Health Insurance for their employees, shall ensure the insurance provided to employees and/or Legal residents of Florida are consistent with this provision.

(13) "Nondiscrimination in Health Care" Insurers shall not discriminate with respect to network participation under the plan, payment of services or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable State law.

(14) "Penalty" provided by Legislation and/or rules, shall be equal to or greater than the actual cost per visit per Insured. Actual cost of each visit minus copay shall be paid to the Insured.

(15) EFFECT. – This section does not modify or change the scope of practice of any licensees of the Florida Department of Health, nor does it alter in any way the provisions of the individual practice acts for those licensees, which require licensees to practice within their respective standards of care and which prohibit fraud and exploitation of patients.

(16) LEGISLATION--- Nothing in this section shall limit the legislature from enacting laws consistent with this provision.

(17) SEVERABILITY--- The provisions of this section are severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by any court of competent jurisdiction other provisions shall continue to be in effect to the fullest extent possible.

DATE OF SIGNATURE

X _____
SIGNATURE OF REGISTERED VOTER

Initiative petition sponsored by Acupuncture for Florida, 2579 Oak Street, Kissimmee, FL 34744

If paid petition circulator is used:

Circulator's name _____

Circulator's address _____

For official use Only

Serial Number: 15-02

Date Approved: 1/28/2015

RETURN TO: Acupuncture for Florida
2579 Oak Street
Kissimmee, FL. 34744