



A bill to be entitled

An act relating to assistance in obtaining prescription drugs; creating s. 430.83, F.S.; providing a popular name; providing definitions; providing legislative findings and intent; creating the Sunshine for Seniors Program to assist low-income seniors with obtaining prescription drugs from manufacturers' pharmaceutical assistance programs; providing implementation and oversight duties of the Department of Elderly Affairs; providing for community partnerships; providing for contracts; requiring annual evaluation reports on the program; specifying that the program is not an entitlement; providing an effective date.

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

Section 1. Section 430.83, Florida Statutes, is created to read:

430.83 Sunshine for Seniors Program.--

(1) POPULAR NAME.--This section shall be known by the popular name "The Sunshine for Seniors Act."

(2) DEFINITIONS.--As used in this section, the term:

(a) "Application assistance organization" means any private organization that assists individuals with obtaining prescription drugs through manufacturers' pharmaceutical assistance programs.

(b) "Eligible individual" means any individual who is 60 years of age or older who lacks adequate pharmaceutical insurance coverage.

(c) "Manufacturers' pharmaceutical assistance program"



HB 0001, Engrossed 1

2003

31 means any program offered by a pharmaceutical manufacturer that
32 provides low-income individuals with prescription drugs free or
33 at reduced prices, including, but not limited to, senior
34 discount card programs and patient assistance programs.

35 (3) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
36 finds that the pharmaceutical manufacturers, seeing a need, have
37 created charitable programs to aid low-income seniors with the
38 cost of prescription drugs. The Legislature also finds that many
39 low-income seniors are unaware of such programs or either do not
40 know how to apply for or need assistance in completing the
41 applications for such programs. Therefore, it is the intent of
42 the Legislature that the Department of Elderly Affairs, in
43 consultation with the Agency for Health Care Administration,
44 implement and oversee the Sunshine for Seniors Program to help
45 seniors in accessing manufacturers' pharmaceutical assistance
46 programs.

47 (4) SUNSHINE FOR SENIORS PROGRAM.--There is established a
48 program to assist low-income seniors with obtaining prescription
49 drugs from manufacturers' pharmaceutical assistance programs,
50 which shall be known as the "Sunshine for Seniors Program."
51 Implementation of the program is subject to the availability of
52 funding and any limitations or directions provided for by the
53 General Appropriations Act or chapter 216.

54 (5) IMPLEMENTATION AND OVERSIGHT DUTIES.--In implementing
55 and overseeing the Sunshine for Seniors Program, the Department
56 of Elderly Affairs:

57 (a) Shall promote the availability of manufacturers'
58 pharmaceutical assistance programs to eligible individuals with
59 various outreach initiatives.

60 (b) Shall, working cooperatively with pharmaceutical



HB 0001, Engrossed 1

2003

61 manufacturers and consumer advocates, develop a uniform
62 application form, which shall be available in English, Spanish,
63 and Creole, to be completed by seniors who wish to participate
64 in the Sunshine for Seniors Program.

65 (c) May request proposals from application assistance
66 organizations to assist eligible individuals with obtaining
67 prescription drugs through manufacturers' pharmaceutical
68 assistance programs.

69 (d) Shall train volunteers to help eligible individuals
70 fill out applications for the manufacturers' pharmaceutical
71 assistance programs.

72 (e) Shall train volunteers to determine if applicants are
73 available for other state programs.

74 (f) Shall seek federal funds to help fund the Sunshine for
75 Seniors Program.

76 (g) May seek federal waivers to help fund the Sunshine for
77 Seniors Program.

78 (6) COMMUNITY PARTNERSHIPS.--The Department of Elderly
79 Affairs may build private-sector and public-sector partnerships
80 with corporations, hospitals, physicians, pharmacists,
81 foundations, volunteers, state agencies, community groups, area
82 agencies on aging, and any other entities that will further the
83 intent of this section. These community partnerships may also be
84 used to facilitate other pro bono benefits for eligible
85 individuals, including, but not limited to, medical, dental, and
86 prescription services.

87 (7) CONTRACTS.--The Department of Elderly Affairs may
88 select and contract with application assistance organizations to
89 assist eligible individuals in obtaining their prescription
90 drugs through the manufacturers' pharmaceutical assistance



HB 0001, Engrossed 1

2003

91 programs. If the department contracts with an application
92 assistance organization, the department shall evaluate quarterly
93 the performance of the application assistance organization to
94 ensure compliance with the contract and the quality of service
95 provided to eligible individuals.

96 (8) REPORTS AND EVALUATIONS.--By January 1 of each year,
97 while the Sunshine for Seniors Program is operating, the
98 Department of Elderly Affairs shall report to the Legislature
99 regarding the implementation and operation of the Sunshine for
100 Seniors Program.

101 (9) NONENTITLEMENT.--The Sunshine for Seniors Program
102 established by this section is not an entitlement. If funds are
103 insufficient to assist all eligible individuals, the Department
104 of Elderly Affairs may develop a waiting list prioritized by
105 application date.

106 Section 2. This act shall take effect upon becoming a law.