

By the Committee on Appropriations; and Senator Peadar

309-2331-03

1 A bill to be entitled
 2 An act relating to assistance in obtaining
 3 prescription drugs; creating s. 430.83, F.S.;
 4 providing a popular name; providing
 5 definitions; providing legislative findings and
 6 intent; creating the Sunshine for Seniors
 7 Program to assist low-income seniors with
 8 obtaining prescription drugs from
 9 manufacturers' pharmaceutical assistance
 10 programs; providing implementation and
 11 oversight duties of the Department of Elderly
 12 Affairs; providing for community partnerships;
 13 providing for contracts; requiring annual
 14 evaluation reports on the program; specifying
 15 that the program is not an entitlement;
 16 providing an appropriation and authorizing a
 17 position; providing an effective date.

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

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

- 23 430.83 Sunshine for Seniors Program.--
 24 (1) POPULAR NAME.--This section shall be known by the
 25 popular name "The Sunshine for Seniors Act."
 26 (2) DEFINITIONS.--As used in this section, the term:
 27 (a) "Application assistance organization" means any
 28 private organization that assists individuals with obtaining
 29 prescription drugs through manufacturers' pharmaceutical
 30 assistance programs.

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1 **(b) "Eligible individual" means any individual who is**
2 **60 years of age or older who lacks adequate pharmaceutical**
3 **insurance coverage.**

4 **(c) "Manufacturers' pharmaceutical assistance program"**
5 **means any program offered by a pharmaceutical manufacturer**
6 **which provides low-income individuals with prescription drugs**
7 **free or at reduced prices, including, but not limited to,**
8 **senior discount card programs and patient assistance programs.**

9 **(3) LEGISLATIVE FINDINGS AND INTENT.--The Legislature**
10 **finds that the pharmaceutical manufacturers, seeing a need,**
11 **have created charitable programs to aid low-income seniors**
12 **with the cost of prescription drugs. The Legislature also**
13 **finds that many low-income seniors are unaware of such**
14 **programs or either do not know how to apply for or need**
15 **assistance in completing the applications for such programs.**
16 **Therefore, it is the intent of the Legislature that the**
17 **Department of Elderly Affairs, in consultation with the Agency**
18 **for Health Care Administration, implement and oversee the**
19 **Sunshine for Seniors Program to help seniors in accessing**
20 **manufacturers' pharmaceutical assistance programs.**

21 **(4) SUNSHINE FOR SENIORS PROGRAM.--There is**
22 **established a program to assist low-income seniors with**
23 **obtaining prescription drugs from manufacturers'**
24 **pharmaceutical assistance programs, which shall be known as**
25 **the "Sunshine for Seniors Program." Implementation of the**
26 **program is subject to the availability of funding and any**
27 **limitations or directions provided for by the General**
28 **Appropriations Act or chapter 216.**

29 **(5) IMPLEMENTATION AND OVERSIGHT DUTIES.--In**
30 **implementing and overseeing the Sunshine for Seniors Program,**
31 **the Department of Elderly Affairs:**

1 (a) Shall promote the availability of manufacturers'
2 pharmaceutical assistance programs to eligible individuals
3 with various outreach initiatives.

4 (b) Shall, working cooperatively with pharmaceutical
5 manufacturers and consumer advocates, develop a uniform intake
6 form to be completed by seniors who wish to participate in the
7 Sunshine for Seniors Program.

8 (c) May request proposals from application assistance
9 organizations to assist eligible individuals with obtaining
10 prescription drugs through manufacturers' pharmaceutical
11 assistance programs.

12 (d) Shall train volunteers to help eligible
13 individuals fill out applications for the manufacturers'
14 pharmaceutical assistance programs.

15 (e) Shall train volunteers to determine when
16 applicants may be eligible for other state programs and refer
17 them to the proper entity for eligibility determination for
18 such programs.

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

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

23 (6) COMMUNITY PARTNERSHIPS.--The Department of Elderly
24 Affairs may build private-sector and public-sector
25 partnerships with corporations, hospitals, physicians,
26 pharmacists, foundations, volunteers, state agencies,
27 community groups, area agencies on aging, and any other
28 entities that will further the intent of this section. These
29 community partnerships may also be used to facilitate other
30 pro bono benefits for eligible individuals, including, but not
31 limited to, medical, dental, and prescription services.

1 (7) CONTRACTS.--The Department of Elderly Affairs may
2 select and contract with application assistance organizations
3 to assist eligible individuals in obtaining their prescription
4 drugs through the manufacturers' pharmaceutical assistance
5 programs. If the department contracts with an application
6 assistance organization, the department shall evaluate
7 quarterly the performance of the application assistance
8 organization to ensure compliance with the contract and the
9 quality of service provided to eligible individuals.

10 (8) REPORTS AND EVALUATIONS.--By January 1 of each
11 year, while the Sunshine for Seniors Program is operating, the
12 Department of Elderly Affairs shall report to the Legislature
13 regarding the implementation and operation of the Sunshine for
14 Seniors Program.

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

20 Section 2. The sum of \$226,660 is appropriated from
21 the General Revenue Fund to the Department of Elderly Affairs,
22 and one position is authorized, to implement this act during
23 the 2003-2004 fiscal year.

24 Section 3. This act shall take effect upon becoming a
25 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2322

The Committee Substitute clarifies that duties of the program include training volunteers to determine when applicants may be eligible for other state programs and referring them for eligibility determination.

The bill appropriates \$226,660 from the General Revenue Fund to the Department of Elderly Affairs and authorizes one position during FY 2003-04.