

By the Committee on Appropriations; and Senator Pruitt

309-2351-04

1 A bill to be entitled
 2 An act relating to employee benefits; amending
 3 s. 110.12315, F.S., relating to the state
 4 employees' prescription drug program; deleting
 5 obsolete provisions; removing an expiration
 6 date applicable to copayment amounts; amending
 7 s. 110.1239, F.S.; removing an expiration date
 8 applicable to provisions governing procedures
 9 for determining the level of premiums necessary
 10 to fund the state group health insurance
 11 program; amending s. 624.437, F.S.; clarifying
 12 that a provision requiring certain insurers to
 13 obtain a certificate of authority does not
 14 apply to the state group health insurance
 15 program; providing for certain personnel moving
 16 from county government to a position in the
 17 state courts system, an office of the state
 18 attorney, or an office of the public defender,
 19 and their covered dependents, to qualify for
 20 the state group health insurance program;
 21 authorizing state attorneys and public
 22 defenders to transfer a specified amount of
 23 unused annual leave and unused sick leave;
 24 providing an effective date.

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 26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Subsection (7) of section 110.12315,
 29 Florida Statutes, is amended to read:
 30 110.12315 Prescription drug program.--The state
 31 employees' prescription drug program is established. This

1 program shall be administered by the Department of Management
2 Services, according to the terms and conditions of the plan as
3 established by the relevant provisions of the annual General
4 Appropriations Act and implementing legislation, subject to
5 the following conditions:

6 (7) Under the state employees' prescription drug
7 program copayments must be made as follows:

8 ~~(a) Effective January 1, 2001, through December 31,~~
9 ~~2003+.~~

- 10 1. ~~For generic drug with card.....\$7.~~
- 11 2. ~~For preferred brand name drug with card.....\$20.~~
- 12 3. ~~For nonpreferred brand name drug with card.....\$35.~~
- 13 4. ~~For generic mail order drug.....\$10.50.~~
- 14 5. ~~For preferred brand name mail order drug.....\$30.~~
- 15 6. ~~For nonpreferred brand name drug.....\$52.50.~~

16 (a)~~(b)~~ Effective January 1, 2004:

- 17 1. For generic drug with card.....\$10.
- 18 2. For preferred brand name drug with card.....\$25.
- 19 3. For nonpreferred brand name drug with card.....\$40.
- 20 4. For generic mail order drug.....\$20.
- 21 5. For preferred brand name mail order drug.....\$50.
- 22 6. For nonpreferred brand name drug.....\$80.

23 (b)~~(c)~~ The Department of Management Services shall
24 create a preferred brand name drug list to be used in the
25 administration of the state employees' prescription drug
26 program.

27
28 ~~This subsection expires July 1, 2004.~~

29 Section 2. Section 110.1239, Florida Statutes, is
30 amended to read:

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1 110.1239 State group health insurance program
2 funding.--~~For the 2003-2004 fiscal year only,~~It is the intent
3 of the Legislature that the state group health insurance
4 program be managed, administered, operated, and funded in such
5 a manner as to maximize the protection of state employee
6 health insurance benefits. Inherent in this intent is the
7 recognition that the health insurance liabilities attributable
8 to the benefits offered state employees should be fairly,
9 orderly, and equitably funded. Accordingly:

10 (1) The division shall determine the level of premiums
11 necessary to fully fund the state group health insurance
12 program for the next fiscal year. Such determination shall be
13 made after each Self-Insurance Estimating Conference as
14 provided in s. 216.136(11), but not later than December 1 and
15 April 1 of each fiscal year.

16 (2) The Governor, in the Governor's recommended
17 budget, shall provide premium rates necessary for full funding
18 of the state group health insurance program, and the
19 Legislature shall provide in the General Appropriations Act
20 for a premium level necessary for full funding of the state
21 group health insurance program.

22 (3) For purposes of funding, any additional
23 appropriation amounts allocated to the state group health
24 insurance program by the Legislature shall be considered as a
25 state contribution and thus an increase in the state premiums.

26 ~~(4) This section expires July 1, 2004.~~

27 Section 3. Subsection (3) of section 624.437, Florida
28 Statutes, is amended to read:

29 624.437 "Multiple-employer welfare arrangement"
30 defined; certificate of authority required; penalty.--

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1 (3) This section does not apply to a multiple-employer
2 welfare arrangement which offers or provides benefits which
3 are fully insured by an authorized insurer, ~~or~~ to an
4 arrangement which is exempt from state insurance regulation in
5 accordance with Pub. L. No. 93-406, the Employee Retirement
6 Income Security Act, or to the state group health insurance
7 program administered pursuant to s. 110.123.

8 Section 4. All personnel moving from county government
9 to a position in the state courts system, an office of the
10 state attorney, or an office of the public defender, as a part
11 of the implementation of Revision No. 7 to Article 5 of the
12 State Constitution, and their covered dependents, who were
13 continuously enrolled for at least 12 months in a
14 county-sponsored group health insurance program on June 30,
15 2004, shall be deemed to have met the preexisting conditions
16 requirements under the State Group Health Insurance Program.

17 Section 5. All personnel moving from county government
18 to a position in an office of the state attorney or an office
19 of the public defender as a part of the implementation of
20 Revision No. 7 to Article 5 of the State Constitution shall be
21 allowed to transfer up to 80 hours of unused annual leave and
22 up to 320 hours of unused sick leave.

23 Section 6. This act shall take effect upon becoming a
24 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1250

The Committee Substitute for SB 1250:

- eliminates the expiration date on the statutory provision setting forth the prescription drug schedule for the state employee health insurance plan;
- eliminates the expiration date on the statutory provision requiring the Department of Management Services to determine annually the premium necessary to fully fund the state employee health insurance plan;
- clarifies that the state employee health insurance plan is not subject to the regulatory provisions applicable to multiple employer welfare arrangements;
- provides that those county employees moving to state employment who have 12 months of continuous coverage in the county-sponsored health insurance plan will be deemed to have met the pre-existing condition limitations applicable in the state health insurance plan; and
- provides that employees moving from county employment to work in state attorney or public defender offices will be permitted to transfer up to 80 hours of annual leave and 320 hours of sick leave.