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2 An act relating to employee benefits; providing
3 for resolving various collective bargaining
4 issues that are at impasse between the State of
5 Florida and the respective employee unit;
6 requiring the Department of Management Services
7 to establish certain insurance plans within the
8 state group insurance program; requiring that
9 certain high deductible plans include a health
10 savings account; providing for the benefit
11 attributes to be determined under the General
12 Appropriations Act; specifying the monthly
13 payment amounts for certain types of coverage;
14 amending s. 110.123, F.S., relating to the
15 state group insurance program; authorizing the
16 department to establish health savings accounts
17 for full-time and part-time state employees;
18 providing for employer contributions into an
19 employee's health savings account from the
20 State Employees Health Insurance Trust Fund;
21 amending s. 110.12315, F.S.; providing
22 additional copayment amounts under the state
23 employees' prescription drug program; providing
24 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. (1) Collective bargaining issues at
29 impasse between the Florida Lottery and the Federation of
30 Public Employees for the Lottery Administrative and Support
31 Unit employees shall be resolved as follows:

1 (a) All collective bargaining issues at impasse
2 regarding Article 9 "Union Dues Deductions," Article 11 "Work
3 Week," and Article 19 "Holidays" shall be resolved pursuant to
4 the state's last offer dated February 4, 2005.

5 (b) All mandatory collective bargaining issues at
6 impasse regarding Article 14 "Seniority" shall be resolved
7 pursuant to the state's last offer dated February 4, 2005, for
8 the period July 1, 2005, through May 31, 2006. Beginning June
9 1, 2006, the issues shall be resolved by reverting to the
10 status quo under the language of the current collective
11 bargaining agreement.

12 (2) All mandatory collective bargaining issues at
13 impasse between the State of Florida and the International
14 Union of Police Associations for Law Enforcement Bargaining
15 Unit employees regarding Article 5 "Employee Representation,"
16 Article 14 "Performance Review," Article 18 "Hours of Work,
17 Leave, Job-connected Disability," and Article 24 "On-call
18 assignment - Call back - Court Appearance" shall be resolved
19 by maintaining the status quo under the language of the
20 current collective bargaining agreement.

21 (3) All mandatory collective bargaining issues at
22 impasse between the State of Florida and the Federation of
23 Physicians and Dentists for Selected Exempt Service Physicians
24 Unit employees shall be resolved by maintaining the status quo
25 under the language of the current collective bargaining
26 agreement.

27 (4) All mandatory collective bargaining issues at
28 impasse between the State of Florida and the Police Benevolent
29 Association for the Special Agents Bargaining Unit employees
30 regarding Article 7 "Internal Investigations and Disciplinary
31 Actions," Article 16 "Employment Outside State Government,"

1 Article 17 "Department Vehicles," Article 18 "Leave," and
2 Article 23 "Workday, Workweek, and Overtime" shall be resolved
3 by maintaining the status quo under the language of the
4 current collective bargaining agreement.

5 (5) All mandatory collective bargaining issues at
6 impasse between the State of Florida and AFSCME, Council 79,
7 Master Contract Units, for career service employees regarding
8 Article 6 "Grievance Procedure," Article 7 "Discipline and
9 Discharge," Article 8 "Workforce Reduction and Privatization,"
10 Article 9 "Reassignment, Transfer, Change in Duty Station,"
11 Article 10 "Promotion," Article 12 "Personnel Records,"
12 Article 14 "Performance Review," Article 18 "Leaves of
13 Absence, Hours of Work, and Disability," Article 20
14 "Training," Article 21 "Out of Title Work," Article 22
15 "Disability Leave," and Article 23 "Hours of Work/Overtime"
16 shall be resolved pursuant to the state's last offer.

17 (6) All mandatory collective bargaining issues at
18 impasse between the State of Florida and the Florida State
19 Fire Service Association regarding Article 23 "Hours of Work
20 and Overtime" shall be resolved pursuant to the state's last
21 offer.

22 (7) All mandatory collective bargaining issues at
23 impasse between the State of Florida and the Federation of
24 Physicians and Dentists for Selected Exempt Service
25 Supervisory Nonprofessional Unit employees regarding Article 7
26 "Employee Standards of Conduct" shall be resolved pursuant to
27 the state's last offer.

28 (8) All mandatory collective bargaining issues at
29 impasse between the State of Florida and the State Employees
30 Attorneys Guild shall be resolved pursuant to the state's last
31 offer dated February 1, 2005.

1 (9) All other mandatory collective bargaining issues
2 at impasse for the 2005-2006 fiscal year which are not
3 addressed by this act or the General Appropriations Act for
4 the 2005-2006 fiscal year shall be resolved consistent with
5 the personnel rules in effect on May 2, 2005, and by otherwise
6 maintaining the status quo under the language of the current
7 collective bargaining agreements.

8 Section 2. (1) For the period January 1, 2006,
9 through December 31, 2006, the Department of Management
10 Services shall establish within the State Group Insurance
11 Program a State Group Health Insurance Standard Plan, a State
12 Group Health Insurance High Deductible Health Plan, a
13 state-contracted Health Maintenance Organization Standard
14 Plan, and a state-contracted Health Maintenance Organization
15 High Deductible Health Plan. The state-contracted Health
16 Maintenance High Deductible Health Plan may be offered by each
17 of the health maintenance organizations under contract with
18 the Department of Management Services for the 2006 plan year.

19 (2) The State Group Health Insurance High Deductible
20 Plan and the state-contracted Health Maintenance Organization
21 High Deductible Plan shall include a health savings account
22 feature. Such plans and accounts shall be administered in
23 accordance with the requirements and limitations of federal
24 provisions relating to the Medicare Prescription Drug,
25 Improvement, and Modernization Act of 2003. The benefit
26 attributes offered under the State Group Health Insurance High
27 Deductible Plan and the state-contracted Health Maintenance
28 Organization High Deductible Plan shall be as determined in
29 the General Appropriations Act.

30 (3)(a) For the period January 1, 2006, through June
31 30, 2006, a COBRA participant participating in a high

1 deductible plan shall pay \$325.88 per month for single
2 coverage and \$710.82 for family coverage.

3 (b) For the period January 1, 2006, through June 30,
4 2006, an "early retiree" participant participating in a high
5 deductible plan shall pay \$319.48 per month for single
6 coverage and \$696.88 for family coverage.

7 Section 3. Paragraph (i) is added to subsection (5) of
8 section 110.123, Florida Statutes, and subsection (12) is
9 added to that section, to read:

10 110.123 State group insurance program.--

11 (5) DEPARTMENT POWERS AND DUTIES.--The department is
12 responsible for the administration of the state group
13 insurance program. The department shall initiate and
14 supervise the program as established by this section and shall
15 adopt such rules as are necessary to perform its
16 responsibilities. To implement this program, the department
17 shall, with prior approval by the Legislature:

18 (i) Contract with a single custodian to provide
19 services necessary to implement and administer the health
20 savings accounts authorized in subsection (12).

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22 Final decisions concerning enrollment, the existence of
23 coverage, or covered benefits under the state group insurance
24 program shall not be delegated or deemed to have been
25 delegated by the department.

26 (12) HEALTH SAVINGS ACCOUNTS.--The department is
27 authorized to establish health savings accounts for full-time
28 and part-time state employees in association with a health
29 insurance plan option authorized by the Legislature and
30 conforming to the requirements and limitations of federal

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1 provisions relating to the Medicare Prescription Drug,
2 Improvement and Modernization Act of 2003.

3 (a)1. A member participating in this health insurance
4 plan option shall be eligible to receive an employer
5 contribution into the employee's health savings account from
6 the State Employees Health Insurance Trust Fund in an amount
7 to be determined by the Legislature. A member is not eligible
8 for an employer contribution upon termination of employment.
9 For the 2005-2006 fiscal year, the state's monthly
10 contribution for employees having individual coverage shall be
11 \$41.66 and the monthly contribution for employees having
12 family coverage shall be \$83.33.

13 2. A member participating in this health insurance
14 plan option shall be eligible to deposit the member's own
15 funds into a health savings account.

16 (b) The monthly premiums paid by the employer for a
17 member participating in this health insurance plan option
18 shall include an amount equal to the monthly employer
19 contribution authorized by the Legislature for that fiscal
20 year.

21 (c) The health savings accounts shall be administered
22 in accordance with the requirements and limitations of federal
23 provisions relating to the Medicare Prescription Drug,
24 Improvement and Modernization Act of 2003.

25 Section 4. Subsection (7) of section 110.12315,
26 Florida Statutes, is amended to read:

27 110.12315 Prescription drug program.--The state
28 employees' prescription drug program is established. This
29 program shall be administered by the Department of Management
30 Services, according to the terms and conditions of the plan as
31 established by the relevant provisions of the annual General

1 Appropriations Act and implementing legislation, subject to
2 the following conditions:

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

5 (a) Effective January 1, 2004, through December 31,
6 2005:

- 7 1. For generic drug with card.....\$10.
- 8 2. For preferred brand name drug with card.....\$25.
- 9 3. For nonpreferred brand name drug with card.....\$40.
- 10 4. For generic mail order drug.....\$20.
- 11 5. For preferred brand name mail order drug.....\$50.
- 12 6. For nonpreferred brand name mail order drug....\$80.

13 (b) Effective January 1, 2006, through December 31,
14 2006, for the State Group Health Insurance Standard Plan:

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

21 (c) Effective January 1, 2006, through December 31,
22 2006, for the State Group Health Insurance High Deductible
23 Plan:

- 24 1. Retail coinsurance for generic drug with card..30%.
- 25 2. Retail coinsurance for preferred brand name drug
26 with card.....30%.
- 27 3. Retail coinsurance for nonpreferred brand name drug
28 with card.....50%.
- 29 4. Mail order coinsurance for generic drug.....30%.
- 30 5. Mail order coinsurance for preferred brand name
31 drug.....30%.

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6. Mail order coinsurance for nonpreferred brand name drug.....50%.

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

Section 5. This act shall take effect upon becoming a law.