

HB 263

2009

1 A bill to be entitled
2 An act relating to prescription drug coverage; prohibiting
3 health insurance policies or medical service plan
4 contracts from limiting, reducing, or denying coverage for
5 drugs under certain circumstances; providing construction;
6 limiting effect and application of the prohibition;
7 providing an effective date.

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

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11 Section 1. A health insurance policy or medical service
12 plan contract that provides prescription drug coverage may not
13 limit, reduce, or deny coverage to an insured or covered
14 individual for any drug, if, prior to the limitation, reduction,
15 or denial of coverage the insured or covered individual was
16 using the drug, the insured was covered under the policy or
17 contract, and the drug was covered under the policy or contract.
18 A limitation, reduction, or denial of coverage includes removing
19 a drug from the formulary or other drug list, imposing new prior
20 authorization or other use management tools, placing the drug on
21 a formulary tier that increases the patient's cost-sharing
22 obligations, or otherwise increasing the patient's cost-sharing
23 obligations for the drug. Nothing in this section prohibits an
24 insurer from making uniform changes in its benefit design that
25 apply to all covered drugs or from increasing cost-sharing
26 obligations for the drug merely due to a percentage coinsurance
27 payment that necessarily increases with an increase in the
28 underlying drug prices.

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Section 2. This act shall take effect July 1, 2009.