

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on HB 5009 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (a) of subsection (12) of section
6 110.123, Florida Statutes, is amended, and subsection (14) is
7 added to that section, to read:

8 110.123 State group insurance program.—

9 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized
10 to establish health savings accounts for full-time and part-time
11 state employees in association with a health insurance plan
12 option authorized by the Legislature and conforming to the
13 requirements and limitations of federal provisions relating to
14 the Medicare Prescription Drug, Improvement, and Modernization
15 Act of 2003.

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16 (a)1. A member participating in this health insurance plan
17 option is eligible to receive an employer contribution into the
18 employee's health savings account from the State Employees
19 Health Insurance Trust Fund in an amount to be determined by the
20 Legislature. A member is not eligible for an employer
21 contribution upon termination of employment. ~~For the 2011-2012~~
22 ~~fiscal year,~~ The state's monthly contribution for employees
23 having individual coverage shall be \$41.66 and the monthly
24 contribution for employees having family coverage shall be
25 \$83.33.

26 2. A member participating in this health insurance plan
27 option is eligible to deposit the member's own funds into a
28 health savings account.

29 (14) UNIVERSITY OF FLORIDA BOARD OF TRUSTEES.-

30 (a) Notwithstanding any other provision of this section or
31 any other law, rule, or regulation, and in lieu of participation
32 in state group insurance programs or any part thereof, the
33 University of Florida Board of Trustees, at its option, may
34 provide, or arrange for the provision of, health and other self-
35 insurance or insurance programs, including the necessary
36 administrative support services required to implement and
37 administer such programs, for its employees, including all of
38 its employees who retire on or after implementation of such
39 programs, and may require actuarially determined employee
40 premium payments. The University of Florida Board of Trustees
41 may include in such programs and assess actuarially determined
42 premiums to its students, the employees of its direct-support
43 organizations and other affiliated organizations, and other

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44 persons and entities, as may be determined by the board of
45 trustees. The University of Florida Board of Trustees shall also
46 offer such programs to its retirees who retired prior to the
47 implementation of such programs. Such programs may include, but
48 are not limited to, health and life insurance, pharmacy, and
49 other supplemental or tax-favored plans. In implementing such
50 programs, the University of Florida Board of Trustees may not
51 commence coverage prior to January 1, 2013.

52 (b) State funding for such insurance programs for active
53 employees paid from Educational and General activity funds shall
54 be determined by using the health insurance premium rates
55 established in the General Appropriations Act for coverage for
56 active state employees, reduced by the per capita amount of the
57 actuarially determined implicit subsidy included in the employer
58 paid cost for active employees' participation in the state group
59 insurance program which is associated with retired employees
60 participating in the state group insurance program. The
61 university shall pay the cost of the actuarial study required to
62 determine the implicit subsidy. The department shall submit the
63 actuarially determined amount of the implicit subsidy and the
64 actuary's methodology used for its determination to the
65 Executive Office of the Governor for approval. The Executive
66 Office of the Governor shall provide notice of the implicit
67 subsidy amount and the actuary's methodology used for its
68 determination pursuant to s. 216.177(2) (a). If the chair of the
69 House of Representatives Appropriations Committee and the chair
70 of the Senate Budget Committee or the President of the Senate
71 and the Speaker of the House of Representatives object to the

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72 actuarially determined amount or the actuary's methodology used
73 for its determination, the Governor shall void such
74 determination and methodology and direct the department to
75 recalculate the amount of the implicit subsidy. Upon
76 implementation of the plan by the University of Florida, the
77 university shall transfer, on the last day of each calendar
78 quarter after implementation, the reduction amount for the
79 implicit subsidy to the State Employees Health Insurance Trust
80 Fund and shall submit the necessary budget amendment to the
81 Executive Office of the Governor to accomplish the transfers.
82 Section 110.161 does not apply to any insurance programs
83 developed under this subsection.

84 Section 2. Paragraph (b) of subsection (2) of section
85 110.12315, Florida Statutes, is amended, and, notwithstanding
86 section 75 of chapter 2011-47, Laws of Florida, paragraph (a) of
87 subsection (7) of that section, as reenacted by section 74 of
88 chapter 2011-47, Laws of Florida, does not revert to the text of
89 that paragraph in existence on December 31, 2010, and is
90 reenacted and amended, to read:

91 110.12315 Prescription drug program.—The state employees'
92 prescription drug program is established. This program shall be
93 administered by the Department of Management Services, according
94 to the terms and conditions of the plan as established by the
95 relevant provisions of the annual General Appropriations Act and
96 implementing legislation, subject to the following conditions:

97 (2) In providing for reimbursement of pharmacies for
98 prescription medicines dispensed to members of the state group

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99 health insurance plan and their dependents under the state
100 employees' prescription drug program:

101 (b) There shall be a 30-day supply limit for prescription
102 card purchases and 90-day supply limit for mail order or mail
103 order prescription drug purchases. The Department of Management
104 Services may implement a 90-day supply limit program for certain
105 maintenance drugs as determined by the department at retail
106 pharmacies participating in the program if the department
107 determines it to be in the best financial interest of the state.

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

110 (a) Effective January 1, 2012 ~~2011~~, for the State Group
111 Health Insurance Standard Plan:

- 112 1. For generic drug with card \$7.
- 113 2. For preferred brand name drug with card \$30.
- 114 3. For nonpreferred brand name drug with card \$50.
- 115 4. For generic mail order drug \$14.
- 116 5. For preferred brand name mail order drug \$60.
- 117 6. For nonpreferred brand name mail order drug \$100.

118 Section 3. This act shall take effect July 1, 2012.

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T I T L E A M E N D M E N T

122 Remove the entire title and insert:

123 A bill to be entitled

124 An act relating to health insurance benefits for state
125 employees; amending s. 110.123, F.S.; authorizing the
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127 University of Florida Board of Trustees to provide or
128 arrange for the provision of health and other self-
129 insurance or insurance programs under certain
130 conditions; requiring the board to offer the programs
131 to certain persons; prohibiting the programs from
132 commencing before a specified date; providing
133 requirements for state funding for the insurance
134 programs; providing procedural requirements relating
135 to the program for the Department of Management
136 Services, the Executive Office of the Governor, and
137 the Legislature; providing applicability; providing
138 for the state's monthly contribution for employees
139 under the state group insurance program; amending s.
140 110.12315, F.S.; revising the conditions under which
141 pharmacies are provided reimbursement for prescription
142 medicines that are dispensed to members of the state
143 group health insurance plan under the state employees'
144 prescription drug program; authorizing the Department
145 of Management Services to implement a supply limit
146 program for certain maintenance drugs; reenacting
147 provisions specifying copayment amounts for the state
148 employees' prescription drug program; providing an
149 effective date.

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