

1                   A bill to be entitled  
2           An act relating to health insurance benefits for state  
3           employees; amending s. 110.123, F.S.; authorizing the  
4           University of Florida Board of Trustees to provide or  
5           arrange for the provision of health and other self-  
6           insurance or insurance programs under certain  
7           conditions; requiring the board to offer the programs  
8           to certain persons; prohibiting the programs from  
9           commencing before a specified date; providing  
10          requirements for state funding for the insurance  
11          programs; providing procedural requirements relating  
12          to the program for the Department of Management  
13          Services, the Executive Office of the Governor, and  
14          the Legislature; providing applicability; providing  
15          for the state's monthly contribution for employees  
16          under the state group insurance program; amending s.  
17          110.12315, F.S.; revising the conditions under which  
18          pharmacies are provided reimbursement for prescription  
19          medicines that are dispensed to members of the state  
20          group health insurance plan under the state employees'  
21          prescription drug program; authorizing the Department  
22          of Management Services to implement a supply limit  
23          program for certain maintenance drugs; reenacting  
24          provisions specifying copayment amounts for the state  
25          employees' prescription drug program; providing an  
26          effective date.

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

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

110.123 State group insurance program.—

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

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

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

(14) UNIVERSITY OF FLORIDA BOARD OF TRUSTEES.—

(a) Notwithstanding any other provision of this section or any other law, rule, or regulation, and in lieu of participation

57 in state group insurance programs or any part thereof, the  
58 University of Florida Board of Trustees, at its option, may  
59 provide, or arrange for the provision of, health and other self-  
60 insurance or insurance programs, including the necessary  
61 administrative support services required to implement and  
62 administer such programs, for its employees, including all of  
63 its employees who retire on or after implementation of such  
64 programs, and may require actuarially determined employee  
65 premium payments. The University of Florida Board of Trustees  
66 may include in such programs and assess actuarially determined  
67 premiums to its students, the employees of its direct-support  
68 organizations and other affiliated organizations, and other  
69 persons and entities, as may be determined by the board of  
70 trustees. The University of Florida Board of Trustees shall also  
71 offer such programs to its retirees who retired prior to the  
72 implementation of such programs. Such programs may include, but  
73 are not limited to, health and life insurance, pharmacy, and  
74 other supplemental or tax-favored plans. In implementing such  
75 programs, the University of Florida Board of Trustees may not  
76 commence coverage prior to January 1, 2013.

77 (b) State funding for such insurance programs for active  
78 employees paid from Educational and General activity funds shall  
79 be determined by using the health insurance premium rates  
80 established in the General Appropriations Act for coverage for  
81 active state employees, reduced by the per capita amount of the  
82 actuarially determined implicit subsidy included in the employer  
83 paid cost for active employees' participation in the state group  
84 insurance program which is associated with retired employees

85 participating in the state group insurance program. The  
86 university shall pay the cost of the actuarial study required to  
87 determine the implicit subsidy. The department shall submit the  
88 actuarially determined amount of the implicit subsidy and the  
89 actuary's methodology used for its determination to the  
90 Executive Office of the Governor for approval. The Executive  
91 Office of the Governor shall provide notice of the implicit  
92 subsidy amount and the actuary's methodology used for its  
93 determination pursuant to s. 216.177(2) (a). If the chair of the  
94 House of Representatives Appropriations Committee and the chair  
95 of the Senate Budget Committee or the President of the Senate  
96 and the Speaker of the House of Representatives object to the  
97 actuarially determined amount or the actuary's methodology used  
98 for its determination, the Governor shall void such  
99 determination and methodology and direct the department to  
100 recalculate the amount of the implicit subsidy. Upon  
101 implementation of the plan by the University of Florida, the  
102 university shall transfer, on the last day of each calendar  
103 quarter after implementation, the reduction amount for the  
104 implicit subsidy to the State Employees Health Insurance Trust  
105 Fund and shall submit the necessary budget amendment to the  
106 Executive Office of the Governor to accomplish the transfers.  
107 Section 110.161 does not apply to any insurance programs  
108 developed under this subsection.

109 Section 2. Paragraph (b) of subsection (2) of section  
110 110.12315, Florida Statutes, is amended, and, notwithstanding  
111 section 75 of chapter 2011-47, Laws of Florida, paragraph (a) of  
112 subsection (7) of that section, as reenacted by section 74 of

113 chapter 2011-47, Laws of Florida, does not revert to the text of  
 114 that paragraph in existence on December 31, 2010, and is  
 115 reenacted and amended, to read:

116 110.12315 Prescription drug program.—The state employees'  
 117 prescription drug program is established. This program shall be  
 118 administered by the Department of Management Services, according  
 119 to the terms and conditions of the plan as established by the  
 120 relevant provisions of the annual General Appropriations Act and  
 121 implementing legislation, subject to the following conditions:

122 (2) In providing for reimbursement of pharmacies for  
 123 prescription medicines dispensed to members of the state group  
 124 health insurance plan and their dependents under the state  
 125 employees' prescription drug program:

126 (b) There shall be a 30-day supply limit for prescription  
 127 card purchases and 90-day supply limit for mail order or mail  
 128 order prescription drug purchases. The Department of Management  
 129 Services may implement a 90-day supply limit program for certain  
 130 maintenance drugs as determined by the department at retail  
 131 pharmacies participating in the program if the department  
 132 determines it to be in the best financial interest of the state.

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

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

- 137 1. For generic drug with card \$7.
- 138 2. For preferred brand name drug with card \$30.
- 139 3. For nonpreferred brand name drug with card \$50.
- 140 4. For generic mail order drug \$14.

HB 5009, Engrossed 1

2012

- 141 | 5. For preferred brand name mail order drug \$60.
- 142 | 6. For nonpreferred brand name mail order drug \$100.
- 143 | Section 3. This act shall take effect July 1, 2012.