

FOR CONSIDERATION By the Committee on Governmental Oversight and Accountability

585-02500B-13

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1 A bill to be entitled
2 An act relating to state employee health insurance;
3 amending s. 110.123, F.S.; modifying the terms "full-
4 time state employee" and "part-time state employee"
5 for the purposes of expressly excluding persons paid
6 from other-personal-services funds who work less than
7 a certain number of hours per week from the state
8 group insurance program; applying certain hourly
9 limitations on the calculation of the state's
10 contribution for the health insurance coverage of
11 part-time permanent employees; revising provisions
12 relating to employer contributions to employee health
13 savings accounts; reenacting s. 110.12315(2)(b) and
14 (7)(a), F.S., relating to the state employee's
15 prescription drug program; repealing s. 53 of chapter
16 2012-119, Laws of Florida, relating to the reversion
17 of certain state employee's prescription drug
18 provisions to those in previous existence; amending s.
19 110.131, F.S.; providing that OPS employees working 30
20 hours or more per week may be eligible for the state
21 group health insurance program; providing an effective
22 date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Paragraphs (c) and (f) of subsection (2),
27 paragraph (d) of subsection (4), and paragraph (a) of subsection
28 (12) of section 110.123, Florida Statutes, are amended to read:
29 110.123 State group insurance program.-

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30 (2) DEFINITIONS.—As used in this section, the term:

31 (c) "Full-time state employees" includes all full-time
32 employees of all branches or agencies of state government
33 holding salaried positions and paid by state warrant or from
34 agency funds, and employees paid from regular salary
35 appropriations for 8 months' employment, including university
36 personnel on academic contracts, ~~but in no case shall "state~~
37 ~~employee" or "salaried position" include persons paid from~~
38 ~~other personal services (OPS) funds.~~ "Full-time employees"
39 includes all full-time employees of the state universities.

40 1. Until December 31, 2013, the term does not include
41 persons paid from other-personal-services (OPS) funds.

42 2. Beginning January 1, 2014, the term does not include
43 persons paid from other-personal-services (OPS) funds who have
44 worked less than an average of 40 hours per week during the past
45 12 calendar months or who are reasonably expected to work less
46 than an average of 40 hours per week during the 12 calendar
47 months following his or her employment.

48 (f) "Part-time state employee" means any employee of any
49 branch or agency of state government paid by state warrant from
50 salary appropriations or from agency funds, and who is employed
51 for less than the normal full-time workweek established by the
52 department or, if on academic contract or seasonal or other type
53 of employment which is less than year-round, is employed for
54 less than 8 months during any 12-month period, ~~but in no case~~
55 ~~shall "part-time" employee include a person paid from other-~~
56 ~~personal-services (OPS) funds.~~ "Part-time state employee"
57 includes any part-time employee of the state universities.

58 1. Until December 31, 2013, the term does not include a

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59 person paid from other-personal-services (OPS) funds.

60 2. Beginning January 1, 2014, the term does not include
61 persons paid from other-personal-services (OPS) funds who have
62 worked less than an average of 30 hours per week during the past
63 12 calendar months or who are reasonably expected to work less
64 than an average of 30 hours per week during the 12 calendar
65 months following his or her employment.

66 (4) PAYMENT OF PREMIUMS; CONTRIBUTION BY STATE; LIMITATION
67 ON ACTIONS TO PAY AND COLLECT PREMIUMS.—

68 (d) The state contribution for health insurance coverage
69 for a part-time permanent state employee who elects to
70 participate in the program:

71 1. Before December 31, 2013, shall be prorated so that the
72 amount of the cost contributed for the part-time permanent
73 employee bears the same ~~that~~ relation to the amount of cost
74 contributed for a similar full-time employee that the part-time
75 employee's normal workday bears to a full-time employee's normal
76 workday.

77 2. On or after January 1, 2014, who elects to participate
78 in the program and who has worked less than an average of 30
79 hours per week during the past 12 calendar months or who is
80 reasonably expected to work less than an average of 30 hours per
81 week during the 12 calendar months following his or her
82 employment, shall be prorated so that the amount of the cost
83 contributed for the part-time permanent employee bears the same
84 relation to the amount of cost contributed for a similar full-
85 time employee that the part-time employee's normal workday bears
86 to a full-time employee's normal workday.

87 (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized

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88 to establish health savings accounts for full-time and part-time
89 state employees in association with a health insurance plan
90 option authorized by the Legislature and conforming to the
91 requirements and limitations of federal provisions relating to
92 the Medicare Prescription Drug, Improvement, and Modernization
93 Act of 2003.

94 (a)~~1~~. A member participating in this health insurance plan
95 option is eligible to:

96 1. Receive an employer contribution into the employee's
97 health savings account from the State Employees Health Insurance
98 Trust Fund in an amount to be determined by the Legislature. A
99 member is not eligible for an employer contribution upon
100 termination of employment. For the 2013-2014 ~~2012-2013~~ fiscal
101 year, the state's monthly contribution for employees having
102 individual coverage shall be \$41.66 and the monthly contribution
103 for employees having family coverage shall be \$83.33. For the
104 2014-2015 fiscal year and thereafter, the state's contribution
105 from the trust fund into the member's health savings account
106 shall be set in the annual General Appropriations Act.

107 ~~2. A member participating in this health insurance plan~~
108 ~~option is eligible to~~ Deposit the member's own funds into a
109 health savings account.

110 Section 2. Paragraph (b) of subsection (2) and paragraph
111 (a) of subsection (7) of section 110.12315, Florida Statutes, as
112 amended by section 52 of chapter 2012-119, Laws of Florida, are
113 reenacted to read:

114 110.12315 Prescription drug program.—The state employees'
115 prescription drug program is established. This program shall be
116 administered by the Department of Management Services, according

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117 to the terms and conditions of the plan as established by the
118 relevant provisions of the annual General Appropriations Act and
119 implementing legislation, subject to the following conditions:

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

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

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

133 (a) Effective January 1, 2012, for the State Group Health
134 Insurance Standard Plan:

- 135 1. For generic drug with card.....\$7.
- 136 2. For preferred brand name drug with card.....\$30.
- 137 3. For nonpreferred brand name drug with card.....\$50.
- 138 4. For generic mail order drug.....\$14.
- 139 5. For preferred brand name mail order drug.....\$60.
- 140 6. For nonpreferred brand name mail order drug.....\$100.

141 Section 3. Section 53 of chapter 2012-119, Laws of Florida,
142 is repealed.

143 Section 4. Subsection (5) is added to section 110.131,
144 Florida Statutes, to read:

145 110.131 Other-personal-services employment.-

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146 (5) Beginning January 1, 2014, an other-personal-services
147 (OPS) employee who has worked an average of 30 or more hours per
148 week during the past 12 calendar months or who is reasonably
149 expected to work an average of 30 or more hours per week during
150 the 12 calendar months following his or her employment is
151 eligible to participate in the state group insurance program as
152 provided under s. 110.123.

153 Section 5. This act shall take effect July 1, 2013.