

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Jones, M. offered the following:

4 **Amendment (with title amendment)**

5 Between lines 526 and 527, insert:

7 Section 1. Section 110.12315, Florida Statutes, is amended
 8 to read:

9 110.12315 Prescription drug program.—The state employees'
 10 prescription drug program is established. This program shall be
 11 administered by the Department of Management Services, according
 12 to the terms and conditions of the plan as established by the
 13 relevant provisions of the annual General Appropriations Act and
 14 implementing legislation, subject to the following conditions:

15 (1) The department ~~of Management Services~~ shall allow
 16 prescriptions written by health care providers under the plan to
 17 be filled by any licensed pharmacy pursuant to contractual

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18 claims-processing provisions. Nothing in this section may be
19 construed as prohibiting a mail order prescription drug program
20 distinct from the service provided by retail pharmacies.

21 (2) In providing for reimbursement of pharmacies for
22 prescription medicines dispensed to members of the state group
23 health insurance plan and their dependents under the state
24 employees' prescription drug program:

25 (a) Retail pharmacies participating in the program must be
26 reimbursed at a uniform rate and subject to uniform conditions,
27 according to the terms and conditions of the plan.

28 (b) There shall be a 30-day supply limit for prescription
29 card purchases, a 90-day supply limit for maintenance
30 prescription drug purchases, and a 90-day supply limit for mail
31 order or mail order prescription drug purchases. ~~The Department~~
32 ~~of Management Services may implement a 90-day supply limit~~
33 ~~program for certain maintenance drugs as determined by the~~
34 ~~department at retail pharmacies participating in the program if~~
35 ~~the department determines it to be in the best financial~~
36 ~~interest of the state.~~

37 (c) The ~~current~~ pharmacy dispensing fee shall be
38 negotiated by the department ~~remains in effect.~~

39 (3) Pharmacy reimbursement rates shall be as follows:

40 (a) For mail order and specialty pharmacies contracting
41 with the department, reimbursement rates shall be as established
42 in the contract.

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43 (b) For retail pharmacies, the reimbursement rate shall be
44 at the same rate as mail order pharmacies under contract with
45 the department.

46 (4) The department shall maintain the preferred brand name
47 drug list to be used in the administration of the state
48 employees' prescription drug program.

49 (5) The department shall maintain a list of maintenance
50 drugs.

51 (a) Preferred provider organization health plan members
52 may have prescriptions for maintenance drugs filled up to three
53 times as a 30-day supply through a retail pharmacy; thereafter,
54 prescriptions for the same maintenance drug must be filled as a
55 90-day supply either through the department's contracted mail
56 order pharmacy or through a retail pharmacy.

57 (b) Health maintenance organization health plan members
58 may have prescriptions for maintenance drugs filled as a 90-day
59 supply either through a mail order pharmacy or through a retail
60 pharmacy.

61 (6) Copayments made by health plan members for a 90-day
62 supply through a retail pharmacy shall be the same as copayments
63 made for a 90-day supply through the department's contracted
64 mail order pharmacy.

65 (7)-(3) The department of Management Services shall
66 establish the reimbursement schedule for prescription
67 pharmaceuticals dispensed under the program. Reimbursement rates
68 for a prescription pharmaceutical must be based on the cost of

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69 the generic equivalent drug if a generic equivalent exists,
70 unless the physician prescribing the pharmaceutical clearly
71 states on the prescription that the brand name drug is medically
72 necessary or that the drug product is included on the formulary
73 of drug products that may not be interchanged as provided in
74 chapter 465, in which case reimbursement must be based on the
75 cost of the brand name drug as specified in the reimbursement
76 schedule adopted by the department ~~of Management Services~~.

77 (8)~~(4)~~ The department ~~of Management Services~~ shall conduct
78 a prescription utilization review program. In order to
79 participate in the state employees' prescription drug program,
80 retail pharmacies dispensing prescription medicines to members
81 of the state group health insurance plan or their covered
82 dependents, or to subscribers or covered dependents of a health
83 maintenance organization plan under the state group insurance
84 program, shall make their records available for this review.

85 (9)~~(5)~~ The department ~~of Management Services~~ shall
86 implement such additional cost-saving measures and adjustments
87 as may be required to balance program funding within
88 appropriations provided, including a trial or starter dose
89 program and dispensing of long-term-maintenance medication in
90 lieu of acute therapy medication.

91 (10)~~(6)~~ Participating pharmacies must use a point-of-sale
92 device or an online computer system to verify a participant's
93 eligibility for coverage. The state is not liable for
94 reimbursement of a participating pharmacy for dispensing

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95 prescription drugs to any person whose current eligibility for
96 coverage has not been verified by the state's contracted
97 administrator or by the department ~~of Management Services~~.

98 (11)~~(7)~~ Under the state employees' prescription drug
99 program copayments must be made as follows:

100 (a) Effective January 1, 2013, for the State Group Health
101 Insurance Standard Plan:

- 102 1. For generic drug with card.....\$7.
- 103 2. For preferred brand name drug with card.....\$30.
- 104 3. For nonpreferred brand name drug with card.....\$50.
- 105 4. For generic mail order drug.....\$14.
- 106 5. For preferred brand name mail order drug.....\$60.
- 107 6. For nonpreferred brand name mail order drug.....\$100.

108 (b) Effective January 1, 2006, for the State Group Health
109 Insurance High Deductible Plan:

- 110 1. Retail coinsurance for generic drug with card.....30%.
- 111 2. Retail coinsurance for preferred brand name drug with
112 card 30%.
- 113 3. Retail coinsurance for nonpreferred brand name drug
114 with card.....50%.
- 115 4. Mail order coinsurance for generic drug.....30%.
- 116 5. Mail order coinsurance for preferred brand name drug30%.
- 117 6. Mail order coinsurance for nonpreferred brand name drug50%.

118 (c) The department ~~of Management Services~~ shall create a
119 preferred brand name drug list to be used in the administration
120 of the state employees' prescription drug program.

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121 Section 2. Subsection (1) of section 54 of chapter 2013-
122 41, Laws of Florida, is repealed.

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

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Remove line 28 and insert:

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benefits consultant; reenacting and amending s. 110.12315(2),

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F.S., relating to the state employees' prescription drug

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program; deleting a requirement that the department base its

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decision as to whether to implement a certain 90-day supply

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limit on a determination that it would be in the best financial

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interest of the state; revising the pharmacy dispensing fee;

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authorizing a retail pharmacy to fill a 90-day supply of certain

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drugs; repealing s. 54(1), ch. 2013-41, Laws of Florida,

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providing for the reversion of provisions relating to the state

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employees' prescription drug program; providing reporting

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requirements;

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