

By Senator Benacquisto

30-00436A-16

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1 A bill to be entitled

2 An act relating to health insurance coverage for
3 opioids; creating s. 627.64194, F.S.; defining terms;
4 providing that a health insurance policy that covers
5 opioid analgesic drug products may impose a prior
6 authorization requirement for an abuse-deterrent
7 opioid analgesic drug product only if the insurer
8 imposes the same requirement for each opioid analgesic
9 drug product without an abuse-deterrence labeling
10 claim; prohibiting such health insurance policy from
11 requiring use of an opioid analgesic drug product
12 without an abuse-deterrence labeling claim before
13 providing coverage for an abuse-deterrent opioid
14 analgesic drug product; providing an effective date.

15
16 WHEREAS, the Legislature finds that the abuse of opioids is
17 a serious problem that affects the health, social, and economic
18 welfare of this state, and

19 WHEREAS, the Legislature finds that an estimated 2.1
20 million people in the United States suffered from substance use
21 disorders related to prescription opioid pain relievers in 2012,
22 and

23 WHEREAS, the Legislature finds that the number of
24 unintentional overdose deaths from prescription pain relievers
25 has more than quadrupled since 1999, and

26 WHEREAS, the Legislature is convinced that it is imperative
27 for people suffering from pain to obtain the relief they need
28 while minimizing the potential for negative consequences, NOW,
29 THEREFORE,

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

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33 Section 1. Section 627.64194, Florida Statutes, is created
34 to read:

35 627.64194 Requirements for opioid coverage.-

36 (1) DEFINITIONS.-As used in this section, the term:

37 (a) "Abuse-deterrent opioid analgesic drug product" means a
38 brand or generic opioid analgesic drug product approved by the
39 United States Food and Drug Administration with an abuse-
40 deterrence labeling claim that indicates the drug product is
41 expected to deter abuse.

42 (b) "Opioid analgesic drug product" means a drug product in
43 the opioid analgesic drug class prescribed to treat moderate to
44 severe pain or other conditions in immediate-release, extended-
45 release, or long-acting form regardless of whether or not
46 combined with other drug substances to form a single drug
47 product or dosage form.

48 (2) COVERAGE REQUIREMENTS.-A health insurance policy that
49 provides coverage for opioid analgesic drug products:

50 (a) May impose a prior authorization requirement for an
51 abuse-deterrent opioid analgesic drug product only if the policy
52 imposes the same prior authorization requirement for each opioid
53 analgesic drug product without an abuse-deterrence labeling
54 claim which is covered by the policy.

55 (b) May not require use of an opioid analgesic drug product
56 without an abuse-deterrence labeling claim before providing
57 coverage for an abuse-deterrent opioid analgesic drug product.

58 Section 2. This act shall take effect January 1, 2017.