

By Senator Garcia

36-00970-17

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1                   A bill to be entitled  
2           An act relating to HIV infection and AIDS for contract  
3           purposes; amending s. 641.3007, F.S.; prohibiting  
4           health maintenance organization contracts that include  
5           prescription drug benefits from including HIV/AIDS  
6           drugs at the highest classification, copayment, or  
7           cost-sharing tiers; requiring such contracts to  
8           require coverage and classification of such drugs at  
9           certain rates; prohibiting certain restrictions on  
10          such drugs except under certain circumstances;  
11          providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Paragraph (c) is added to subsection (5) of  
16           section 641.3007, Florida Statutes, to read:

17           641.3007 HIV infection and AIDS for contract purposes.—

18           (5) RESTRICTIONS ON CONTRACT EXCLUSIONS AND LIMITATIONS.—

19           (c) A health maintenance organization contract that  
20           includes prescription drug benefits may not include drugs that  
21           are for the benefit of treating exposure to the HIV infection,  
22           or a specific sickness or medical condition derived from such  
23           condition, at the highest classification, copayment, or cost-  
24           sharing tiers. The contract must require the coverage and  
25           classification of all HIV/AIDS drugs to be established at either  
26           the lowest-priced generic rate or the nonpreferred brand rate,  
27           as appropriate for the specific drug. An HIV/AIDS drug may not  
28           be subject to prior authorization procedures for refills, step-  
29           therapy requirements, drug quantity limitations, or other

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30 utilization management techniques, except as prescribed by the  
31 treating provider.

32 Section 2. This act shall take effect January 1, 2018.