

By Senator Broxson

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1 A bill to be entitled
2 An act relating to medication synchronization;
3 creating s. 627.64196, F.S., and amending s. 641.31,
4 F.S.; prohibiting, under certain circumstances,
5 certain health insurance policies and health
6 maintenance contracts, respectively, from denying
7 coverage for partial supplies of medication dispensed
8 by network pharmacies; requiring such policies and
9 contracts to authorize and apply a prorated daily
10 cost-sharing rate to certain prescriptions under
11 certain circumstances; requiring such policies and
12 contracts to allow network pharmacies to override
13 denial codes under certain circumstances; prohibiting
14 such policies and contracts from using payment
15 structures incorporating prorated dispensing fees;
16 providing requirements for dispensing fees for
17 partially filled or refilled prescriptions; providing
18 an effective date.

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

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22 Section 1. Section 627.64196, Florida Statutes, is created
23 to read:

24 627.64196 Requirements for the partial fill or refill of
25 prescriptions for medication synchronization purposes.-

26 (1) An individual or group health insurance policy
27 providing prescription drug coverage in this state may not deny
28 coverage for a partial supply of medication dispensed by a
29 network pharmacy and must authorize and apply a prorated daily
30 cost-sharing rate to prescriptions that are dispensed by a
31 network pharmacy for the partial supply if:

32 (a) The prescribing practitioner or pharmacist determines

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33 the fill or refill to be in the best interest of the insured;
34 and

35 (b) The insured requests or agrees to a partial supply for
36 the purpose of synchronizing his or her medications.

37 (2) An individual or group health insurance policy:

38 (a) Must allow, for the purposes of medication
39 synchronization, a network pharmacy to override any denial code
40 indicating that a prescription is being refilled too soon.

41 (b) May not use payment structures incorporating prorated
42 dispensing fees. Dispensing fees for partially filled or
43 refilled prescriptions must be paid in full for each
44 prescription dispensed, regardless of any prorated copay for the
45 beneficiary or fee paid for alignment services.

46 Section 2. Subsection (44) is added to section 641.31,
47 Florida Statutes, to read:

48 641.31 Health maintenance contracts.—

49 (44) (a) A health maintenance contract providing
50 prescription drug coverage in this state may not deny coverage
51 for the dispensing of a partial supply of medication by a
52 network pharmacy and must authorize and apply a prorated daily
53 cost-sharing rate to prescriptions that are dispensed by a
54 network pharmacy for the partial supply if:

55 1. The prescribing practitioner or pharmacist determines
56 the fill or refill to be in the best interest of the subscriber;
57 and

58 2. The subscriber requests or agrees to a partial supply
59 for the purpose of synchronizing his or her medications.

60 (b) A health maintenance contract:

61 1. Must allow, for the purposes of medication

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62 synchronization, a network pharmacy to override any denial code
63 indicating that a prescription is being refilled too soon.

64 2. May not use payment structures incorporating prorated
65 dispensing fees. Dispensing fees for partially filled or
66 refilled prescriptions must be paid in full for each
67 prescription dispensed, regardless of any prorated copay for the
68 beneficiary or fee paid for alignment services.

69 Section 3. This act shall take effect July 1, 2017.