

By the Committee on Banking and Insurance; and Senators Cruz, Stewart, Berman, and Taddeo

597-02279-20

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1 A bill to be entitled
2 An act relating to prescription insulin drugs;
3 creating ss. 627.64085 and 627.65746, F.S.; defining
4 the term "prescription insulin drug"; requiring
5 individual and group health insurance policies,
6 respectively, to cap an insured's monthly cost-sharing
7 obligation for covered prescription insulin drugs at a
8 specified amount; providing construction; authorizing
9 the Financial Services Commission to adopt rules;
10 amending s. 627.6699, F.S.; requiring health benefit
11 plans covering small employers to comply with such
12 requirement; amending s. 641.31, F.S.; defining the
13 term "prescription insulin drug"; requiring health
14 maintenance contracts to cap a subscriber's monthly
15 cost-sharing obligation for covered prescription
16 insulin drugs at a specified amount; providing
17 construction; authorizing the commission to adopt
18 rules; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 627.64085, Florida Statutes, is created
23 to read:

24 627.64085 Cost sharing for prescription insulin drugs;
25 limits.-

26 (1) As used in this section, the term "prescription insulin
27 drug" means a prescription drug that contains insulin, is used
28 to treat diabetes, and has been prescribed as medically
29 necessary by the treating physician.

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30 (2) A health insurance policy that provides coverage for
31 prescription insulin drugs must cap the total amount of cost
32 sharing that an insured is required to pay for a covered
33 prescription insulin drug at an amount not to exceed \$100 per
34 30-day supply of the insulin drug, regardless of the amount or
35 type of insulin needed to fill the insured's prescription.

36 (3) This section does not prevent an insurer from reducing
37 an insured's cost-sharing obligation by an amount greater than
38 the amount specified in subsection (2).

39 (4) The commission may adopt rules to administer this
40 section.

41 Section 2. Section 627.65746, Florida Statutes, is created
42 to read:

43 627.65746 Cost sharing for prescription insulin drugs;
44 limits.-

45 (1) As used in this section, the term "prescription insulin
46 drug" means a prescription drug that contains insulin, is used
47 to treat diabetes, and has been prescribed as medically
48 necessary by the treating physician.

49 (2) A group health insurance policy that provides coverage
50 for prescription insulin drugs must cap the total amount of cost
51 sharing that an insured is required to pay for a covered
52 prescription insulin drug at an amount not to exceed \$100 per
53 30-day supply of the insulin drug, regardless of the amount or
54 type of insulin needed to fill the insured's prescription.

55 (3) This section does not prevent an insurer from reducing
56 an insured's cost-sharing obligation by an amount greater than
57 the amount specified in subsection (2).

58 (4) The commission may adopt rules to administer this

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59 section.

60 Section 3. Paragraph (g) is added to subsection (5) of
61 section 627.6699, Florida Statutes, to read:

62 627.6699 Employee Health Care Access Act.—

63 (5) AVAILABILITY OF COVERAGE.—

64 (g) A health benefit plan covering small employers which is
65 issued or renewed on or after January 1, 2021, must comply with
66 s. 627.65746.

67 Section 4. Subsection (48) is added to section 641.31,
68 Florida Statutes, to read:

69 641.31 Health maintenance contracts.—

70 (48) (a) As used in this subsection, the term “prescription
71 insulin drug” means a prescription drug that contains insulin,
72 is used to treat diabetes, and has been prescribed as medically
73 necessary by the treating physician.

74 (b) A health maintenance contract that provides coverage
75 for prescription insulin drugs must cap the total amount of cost
76 sharing that a subscriber is required to pay for a covered
77 prescription insulin drug at an amount not to exceed \$100 per
78 30-day supply of the insulin drug, regardless of the amount or
79 type of insulin needed to fill the subscriber’s prescription.

80 (c) This subsection does not prevent a health maintenance
81 organization from reducing a subscriber’s cost-sharing
82 obligation by an amount greater than the amount specified in
83 paragraph (b).

84 (d) The commission may adopt rules to administer this
85 subsection.

86 Section 5. This act shall take effect January 1, 2021.