



422030

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/28/2020	.	
	.	
	.	
	.	

---

The Committee on Banking and Insurance (Thurston) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 510 and 511

insert:

Section 7. Section 627.444, Florida Statutes, is created to read:

627.444 Health insurers; prescription drug spending reports.-

(1) As used in this section, the term:

(a) "Specialty drug" means a prescription drug on a health



422030

11 insurer's formulary which is also covered under Medicare Part D  
12 and exceeds the specialty tier cost threshold established by the  
13 federal Centers for Medicare and Medicaid Services.

14 (b) "Utilization management" means a set of formal  
15 techniques designed to monitor the use of or evaluate the  
16 medical necessity, appropriateness, efficacy, or efficiency of  
17 health care services, procedures, or settings.

18 (2) By February 1 of each year, each health insurer shall  
19 submit to the office a report including all of the following  
20 information across all health insurance policies for the  
21 preceding calendar year:

22 (a) The names of the 25 most frequently prescribed  
23 prescription drugs.

24 (b) The percentage of any increase in annual net spending  
25 for prescription drugs.

26 (c) The percentage of any increase in premiums which was  
27 attributable to prescription drugs.

28 (d) The percentage of specialty drugs with utilization  
29 management requirements prescribed.

30 (e) Any premium reductions that were attributable to  
31 specialty drug utilization management.

32 (3) A report submitted under this section may not disclose  
33 the identity of a specific health insurance policy or the price  
34 charged for a specific prescription drug or class of  
35 prescription drugs.

36 (4) By May 1 of each year, the office shall publish on its  
37 website aggregated data from all reports it received under this  
38 section for that year. The data from the reports may not be  
39 published in a manner that would disclose or tend to disclose



422030

40 any health insurer's proprietary or confidential information.

41 (5) The commission may adopt rules to administer this  
42 section.

43 Section 8. Section 641.262, Florida Statutes, is created to  
44 read:

45 641.262 Prescription drug spending reports.-

46 (1) As used in this section, the term:

47 (a) "Specialty drug" means a prescription drug on a health  
48 maintenance organization's formulary which is also covered under  
49 Medicare Part D and exceeds the specialty tier cost threshold  
50 established by the federal Centers for Medicare and Medicaid  
51 Services.

52 (b) "Utilization management" means a set of formal  
53 techniques designed to monitor the use of or evaluate the  
54 medical necessity, appropriateness, efficacy, or efficiency of  
55 health care services, procedures, or settings.

56 (2) By February 1 of each year, each health maintenance  
57 organization shall submit to the office a report including all  
58 of the following information across all health maintenance  
59 contracts for the preceding calendar year:

60 (a) The names of the 25 most frequently prescribed  
61 prescription drugs.

62 (b) The percentage of any increase in annual net spending  
63 for prescription drugs.

64 (c) The percentage of any increase in premiums which was  
65 attributable to prescription drugs.

66 (d) The percentage of specialty drugs with utilization  
67 management requirements prescribed.

68 (e) Any premium reduction that was attributable to



69 specialty drug utilization management.

70 (3) A report submitted under this section may not disclose  
71 the identity of a specific health maintenance contract or the  
72 price charged for a specific prescription drug or class of  
73 prescription drugs.

74 (4) By May 1 of each year, the office shall publish on its  
75 website aggregated data from all reports it received under this  
76 section for that year. The data from the reports may not be  
77 published in a manner that would disclose or tend to disclose  
78 any health maintenance organization's proprietary or  
79 confidential information.

80 (5) The commission may adopt rules to administer this  
81 section.

82  
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Between lines 39 and 40  
86 insert:

87 creating ss. 627.444 and 641.262, F.S.; defining the  
88 terms "specialty drugs" and "utilization management";  
89 requiring health insurers and health maintenance  
90 organizations to annually report to the office  
91 specified prescription drug spending information  
92 across all of their health insurance policies and  
93 health maintenance contracts, respectively;  
94 prohibiting the disclosure of certain information in  
95 the reports; requiring the office to annually publish  
96 a certain report on its website; prohibiting the  
97 publication of data in the report in a certain manner;



422030

98

authorizing the commission to adopt rules;