

By Senator Cruz

18-00101-22

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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 that coverage for
9 prescription insulin drugs may not be subject to a
10 deductible; providing construction; authorizing the
11 Financial Services Commission to adopt rules; amending
12 s. 627.6699, F.S.; requiring health benefit plans that
13 cover small employers to comply with prescription
14 insulin drug cost-sharing requirements; amending s.
15 641.31, F.S.; defining the term "prescription insulin
16 drug"; requiring health maintenance contracts to cap a
17 subscriber's monthly cost-sharing obligation for
18 covered prescription insulin drugs at a specified
19 amount; providing that coverage for prescription
20 insulin drugs may not be subject to a deductible;
21 providing construction; authorizing the commission to
22 adopt rules; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Section 627.64085, Florida Statutes, is created
27 to read:

28 627.64085 Cost sharing for prescription insulin drugs;
29 limits.-

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

34 (2) A health insurance policy that provides coverage for
35 prescription insulin drugs must cap the total amount of cost
36 sharing required of an insured for covered prescription insulin
37 drugs at an amount that does not exceed \$100 for each 30-day
38 supply, regardless of the amount or type of insulin needed to
39 fill the insured's prescription or prescriptions. Coverage for
40 prescription insulin drugs may not be subject to a deductible.

41 (3) This section does not preclude an insurer from reducing
42 an insured's cost-sharing obligation by an amount greater than
43 the amount specified in subsection (2).

44 (4) The commission may adopt rules to administer this
45 section.

46 Section 2. Section 627.65746, Florida Statutes, is created
47 to read:

48 627.65746 Cost sharing for prescription insulin drugs;
49 limits.-

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

54 (2) A group health insurance policy that provides coverage
55 for prescription insulin drugs must cap the total amount of cost
56 sharing required of an insured for covered prescription insulin
57 drugs at an amount that does not exceed \$100 for each 30-day
58 supply, regardless of the amount or type of insulin needed to

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59 fill the insured's prescription or prescriptions. Coverage for
60 prescription insulin drugs may not be subject to a deductible.

61 (3) This section does not preclude an insurer from reducing
62 an insured's cost-sharing obligation by an amount greater than
63 the amount specified in subsection (2).

64 (4) The commission may adopt rules to administer this
65 section.

66 Section 3. Paragraph (h) is added to subsection (5) of
67 section 627.6699, Florida Statutes, to read:

68 627.6699 Employee Health Care Access Act.—

69 (5) AVAILABILITY OF COVERAGE.—

70 (h) A health benefit plan that covers small employers which
71 is issued or renewed on or after January 1, 2023, must comply
72 with s. 627.65746.

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

75 641.31 Health maintenance contracts.—

76 (48) (a) As used in this subsection, the term "prescription
77 insulin drug" means a prescription drug that contains insulin,
78 is used to treat diabetes, and has been prescribed as medically
79 necessary by the treating physician.

80 (b) A health maintenance contract that provides coverage
81 for prescription insulin drugs must cap the total amount of cost
82 sharing required of a subscriber for covered prescription
83 insulin drugs at an amount that does not exceed \$100 for each
84 30-day supply, regardless of the amount or type of insulin
85 needed to fill the subscriber's prescription or prescriptions.
86 Coverage for prescription insulin drugs may not be subject to a
87 deductible.

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88 (c) This subsection does not preclude a health maintenance
89 organization from reducing a subscriber's cost-sharing
90 obligation by an amount greater than the amount specified in
91 paragraph (b).

92 (d) The commission may adopt rules to administer this
93 subsection.

94 Section 5. This act shall take effect January 1, 2023.