

By Senator Davis

5-01366A-25

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1 A bill to be entitled
2 An act relating to coverage of prescription drugs for
3 pain; creating ss. 409.9064 and 409.9746, F.S.;
4 defining the term "nonopioid pain drug"; requiring the
5 Medicaid program and Medicaid managed care plans,
6 respectively, to provide coverage such that nonopioid
7 pain drugs are not disadvantaged or otherwise
8 discouraged relative to any opioid or narcotic drug
9 for pain management or treatment; specifying
10 prohibited practices in relation to such coverage;
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. Section 409.9064, Florida Statutes, is created
16 to read:

17 409.9064 Coverage of prescription drugs for pain.-

18 (1) As used in this section, the term "nonopioid pain drug"
19 means a nonopioid drug approved by the United States Food and
20 Drug Administration for the treatment or management of pain.

21 (2) The agency shall provide coverage that does not
22 disadvantage or otherwise discourage a nonopioid pain drug
23 relative to any opioid or narcotic drug for the treatment or
24 management of pain. Prohibited practices or policies for such
25 coverage include, but are not limited to, the following:

26 (a) Designating a nonopioid pain drug as a nonpreferred
27 drug if any opioid or narcotic drug is designated as a preferred
28 drug on the mandatory preferred drug list.

29 (b) Establishing utilization controls for a nonopioid pain

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30 drug which are more restrictive or more extensive than the least
31 restrictive or extensive utilization controls applicable to any
32 opioid or narcotic drug used for treatment of the same
33 condition, including, but not limited to, imposing more
34 restrictive or more extensive prior authorization or step-
35 therapy requirements for the nonopioid pain drug.

36 Section 2. Section 409.9746, Florida Statutes, is created
37 to read:

38 409.9746 Managed care plan coverage of prescription drugs
39 for pain.—

40 (1) As used in this section, the term “nonopioid pain drug”
41 means a nonopioid drug approved by the United States Food and
42 Drug Administration for the treatment or management of pain.

43 (2) A managed care plan must provide coverage that does not
44 disadvantage or otherwise discourage a nonopioid pain drug
45 relative to any opioid or narcotic drug for the treatment or
46 management of pain. Prohibited practices or policies for such
47 coverage include, but are not limited to, the following:

48 (a) Designating a nonopioid pain drug as a nonpreferred
49 drug if any opioid or narcotic drug is designated as a preferred
50 drug on the mandatory preferred drug list.

51 (b) Establishing utilization controls for a nonopioid pain
52 drug which are more restrictive or more extensive than the least
53 restrictive or extensive utilization controls applicable to any
54 opioid or narcotic drug used for treatment of the same
55 condition, including, but not limited to, imposing more
56 restrictive or more extensive prior authorization or step-
57 therapy requirements for the nonopioid pain drug.

58 Section 3. This act shall take effect July 1, 2025.