

By Senator Collins

14-01393-25

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1 A bill to be entitled
 2 An act relating to health care during a declared
 3 emergency; amending s. 252.358, F.S.; providing
 4 legislative intent; defining the term "life sustaining
 5 medical services"; requiring certain health insurance
 6 entities to enact specified policies; requiring that
 7 such policies be in effect under specified
 8 circumstances; authorizing the Office of Insurance
 9 Regulation and the Agency for Health Care
 10 Administration to issue emergency orders extending the
 11 time periods of such policies for specified
 12 timeframes; providing an effective date.

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

16 Section 1. Section 252.358, Florida Statutes, is amended to
 17 read:

18 252.358 Emergency-preparedness health care ~~prescription~~
 19 ~~medication refills.~~-

20 (1) It is the intent of the Legislature to preserve access
 21 to life-sustaining medical care and services during emergencies.

22 (2) As used in this section, the term "life-sustaining
 23 medical services" includes hospital care, skilled nursing,
 24 inpatient rehabilitation, long-term acute care and other post-
 25 acute care needs, durable medical equipment and supplies, home
 26 health services, hospital services, nursing facility services,
 27 chemotherapy, dialysis services, and other care deemed by the
 28 provider as medically necessary.

29 (3) All health insurers, managed care organizations, and

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30 other entities that are licensed by the Office of Insurance
31 Regulation, plans participating in the state Medicaid managed
32 care program, and any other health care insurance program
33 administered, regulated, or licensed by the state shall enact
34 the following policies:

35 (a) The waiver of ~~and provide prescription medication~~
36 ~~coverage as part of a policy or contract shall waive time~~
37 ~~restrictions on prescription medication refills, which include~~
38 ~~suspension of electronic "refill too soon" edits to pharmacies,~~
39 ~~to enable insureds or subscribers to refill prescriptions in~~
40 ~~advance, if there are authorized refills remaining, and~~
41 authorizing ~~shall authorize~~ payment to pharmacies for at least a
42 30-day supply of any prescription medication, regardless of the
43 date upon which the prescription had most recently been filled
44 by a pharmacist.

45 (b) The waiver of all prior authorization, utilization
46 management, and concurrent review requirements for patients who
47 need life-sustaining medical services.

48 (c) The waiver of authorizations for transfers.

49 (d) The waiver of timely filing requirements around notice
50 of admission not less than 30 days after the declaration of an
51 emergency.

52 (e) The waiver of filing deadlines and appeal timeframes
53 during a situation described in subsection (4).

54 (f) The extension of any authorization or precertification
55 provided before the applicable emergency for a period of 30 days
56 after the conclusion of the events described in paragraph

57 (4) (a).

58 (g) The reimbursement to hospitals for care provided due to

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59 discharge delays resulting from the events described in
60 paragraph (4) (a).

61 (h) The waiver of out of network cost share for patients
62 displaced due to events described in paragraph (4) (a).

63 (i) Any additional policy required by the Office of
64 Insurance Regulation or the Agency for Health Care
65 Administration.

66 (4) The policies required by subsection (3) must be in
67 effect, when the following conditions occur:

68 (a)-(1) The person seeking life-sustaining medical services
69 the prescription medication refill resides in a county that:

70 1.-(a) Is under a hurricane warning issued by the National
71 Weather Service;

72 2.-(b) Is declared to be under a state of emergency in an
73 executive order issued by the Governor; or

74 3.-(c) Has activated its emergency operations center and its
75 emergency management plan.

76 (b)-(2) The life-sustaining medical service ~~prescription~~
77 ~~medication refill~~ is requested within 30 days after the
78 origination date of the conditions stated in this section or
79 until such conditions are terminated by the issuing authority or
80 no longer exist. The time period for the policies required by
81 subsection (3) the waiver of prescription medication refills may
82 be extended in 15- or 30-day increments by emergency orders
83 issued by the Office of Insurance Regulation or the Agency for
84 Health Care Administration.

85
86 This section does not excuse or exempt an insured or subscriber
87 from compliance with all other terms of the policy or contract

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88 providing prescription medication coverage.

89 Section 2. This act shall take effect July 1, 2025.