

Amendment No.

CHAMBER ACTION

SenateHouse

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The Conference Committee on HB 5015 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (9) of section 110.12315, Florida Statutes, is amended to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

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13 (9)(a)1. Beginning with the 2020 plan year, the department
14 must implement formulary management for prescription drugs and
15 supplies. Such management practices must require prescription
16 drugs to be subject to formulary inclusion or exclusion but may
17 not restrict access to the most clinically appropriate,
18 clinically effective, and lowest net-cost prescription drugs and
19 supplies. Drugs excluded from the formulary must be available
20 for inclusion if a physician, advanced practice registered
21 nurse, or physician assistant prescribing a pharmaceutical
22 clearly states on the prescription that the excluded drug is
23 medically necessary. Prescription drugs and supplies first made
24 available in the marketplace after January 1, 2020, may not be
25 covered by the prescription drug program until specifically
26 included in the list of covered prescription drugs and supplies.

27 2. No later than September 1, 2025, the department must
28 submit to the Governor and the Legislative Budget Commission
29 recommendations on the implementation of formulary management
30 for prescription drugs and supplies for the 2026 plan year,
31 including, but not limited to, recommendations relating to the
32 following:

33 a. Lists of excluded prescription drugs and supplies for a
34 recommended formulary, with a comparison to the formulary in
35 effect during the 2025 plan year. A recommended formulary is not
36 subject to the requirement in subparagraph 1. that drugs
37 excluded from the formulary must be available for inclusion if a

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38 physician, advanced practice registered nurse, or physician
39 assistant prescribing a pharmaceutical clearly states on the
40 prescription that the excluded drug is medically necessary.

41 b. Lists of included prescription drugs and supplies for a
42 recommended formulary, with a comparison to the formulary in
43 effect during the 2025 plan year.

44 c. Prior authorization of specified prescription drugs and
45 supplies.

46 d. Step therapy of specified prescription drugs and
47 supplies.

48 3. Prescription drugs and supplies first made available in
49 the marketplace after January 1, 2026, may not be covered by the
50 prescription drug program until specifically included in the
51 list of covered prescription drugs and supplies.

52 4. In support of its recommendations, the department must
53 submit relevant information identifying the prescription drugs
54 and supplies affected, the number of plan members and
55 prescriptions affected for each identified drug or supply, and
56 the cost savings expected for each recommended component
57 implemented.

58 5. The Legislative Budget Commission may consider the
59 department's recommendations in total or in part, and, beginning
60 in the 2026 plan year, the department shall implement only those
61 recommendations approved by the Legislative Budget Commission.

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(b) No later than September ~~October~~ 1, 2025 ~~2019~~, and by each September ~~October~~ 1 thereafter, the department must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives the list of prescription drugs and supplies that will be excluded from program coverage for the next plan year and, for informational purposes only, the list of prescription drugs and supplies that are recommended to be subject to a higher copayment for the next plan year. The list of prescription drugs and supplies that will be excluded from program coverage must be approved by the Legislative Budget Commission. If the department proposes to exclude prescription drugs and supplies after the plan year has commenced, the department must provide notice to the Governor, the President of the Senate, and the Speaker of the House of Representatives of such exclusions at least 60 days before implementation of such exclusions. Such exclusions must be approved by the Legislative Budget Commission.

Section 2. Effective January 1, 2026, and contingent upon the Legislative Budget Commission approving one or more recommendations of the Department of Management Services under sub-subparagraph (a)2.a. of subsection (9) of section 110.12315, Florida Statutes, as amended by section 1 of this act, paragraph (a) of subsection (9) of section 110.12315, Florida Statutes, as amended by section 1 of this act, is amended to read:

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110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(9)(a)~~1.~~ Beginning with the 2026 ~~2020~~ plan year, the department must implement formulary management for prescription drugs and supplies. Such management practices must require prescription drugs to be subject to formulary inclusion or exclusion but may not restrict access to the most clinically appropriate, clinically effective, and lowest net-cost prescription drugs and supplies. ~~Drugs excluded from the formulary must be available for inclusion if a physician, advanced practice registered nurse, or physician assistant prescribing a pharmaceutical clearly states on the prescription that the excluded drug is medically necessary.~~ Prescription drugs and supplies first made available in the marketplace after January 1, 2026 ~~2020~~, may not be covered by the prescription drug program until specifically included in the list of covered prescription drugs and supplies.

~~2. No later than September 1, 2025, the department must submit to the Governor and the Legislative Budget Commission recommendations on the implementation of formulary management for prescription drugs and supplies for the 2026 plan year,~~

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~~including, but not limited to, recommendations relating to the following:~~

~~a. Lists of excluded prescription drugs and supplies for a recommended formulary, with a comparison to the formulary in effect during the 2025 plan year. A recommended formulary is not subject to the requirement in subparagraph 1. that drugs excluded from the formulary must be available for inclusion if a physician, advanced practice registered nurse, or physician assistant prescribing a pharmaceutical clearly states on the prescription that the excluded drug is medically necessary.~~

~~b. Lists of included prescription drugs and supplies for a recommended formulary, with a comparison to the formulary in effect during the 2025 plan year.~~

~~c. Prior authorization of specified prescription drugs and supplies.~~

~~d. Step therapy of specified prescription drugs and supplies.~~

~~3. Prescription drugs and supplies first made available in the marketplace after January 1, 2026, may not be covered by the prescription drug program until specifically included in the list of covered prescription drugs and supplies.~~

~~4. In support of its recommendations, the department must submit relevant information identifying the prescription drugs and supplies affected, the number of plan members and prescriptions affected for each identified drug or supply, and~~

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the cost savings expected for each recommended component
implemented.

~~5. The Legislative Budget Commission may consider the
department's recommendations in total or in part, and, beginning
in the 2026 plan year, the department shall implement only those
recommendations approved by the Legislative Budget Commission.~~

Section 3. The Legislative Budget Commission shall notify
the Division of Law Revision upon the commission's approval of
one or more recommendations of the Department of Management
Services under section 110.12315(9)(a)2.a., Florida Statutes, as
amended by section 1 of this act.

Section 4. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2025.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to state group insurance; amending s.
110.12315, F.S.; requiring the Department of
Management Services to submit to the Governor and the
Legislative Budget Commission certain recommendations
on the implementation of formulary management for
prescription drugs and supplies for a specified plan
year; authorizing the commission to consider the

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department's recommendations; requiring the department to implement only the recommendations approved by the commission; requiring the department to submit to the Governor and the Legislature a specified list of prescription drugs and supplies for informational purposes; requiring the list of prescription drugs and supplies excluded from the state employees' prescription drug program to be approved by the commission; removing the requirement that certain drugs excluded from the formulary be available for inclusion under specified circumstances; removing certain changes made by the act under specified circumstances; requiring the commission to notify the Division of Law Revision of the commission's approval of certain recommendations; providing effective dates.

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