

1                   A bill to be entitled  
2           An act relating to state group insurance; amending s.  
3           110.12315, F.S.; providing for state group health  
4           insurance plan copayments, rather than State Group  
5           Health Insurance Standard Plan copayments, for  
6           prescription drugs; requiring that state group health  
7           insurance plan copayments for prescription drugs be  
8           established annually in the General Appropriations  
9           Act; removing provisions relating to formulary  
10          inclusions of specified drugs under certain  
11          circumstances; updating certain dates relating to  
12          prescription drugs and supplies; creating s.  
13          110.12316, F.S.; defining the term "state agency";  
14          requiring the Department of Management Services to  
15          make monthly administrative health insurance  
16          assessments against state agencies based on certain  
17          vacant positions within the agencies; requiring state  
18          agencies to remit to the State Employees Health  
19          Insurance Trust Fund the administrative health  
20          insurance assessments; requiring the department to  
21          certify to the Chief Financial Officer the amounts due  
22          under specified circumstances; requiring the Chief  
23          Financial Officer to transfer to the department the  
24          amounts under specified circumstances; providing  
25          applicability; providing assessment calculations;

26 requiring state agencies to provide the department  
 27 with a list of certain positions by position numbers,  
 28 include certain information in the list, and update  
 29 the list monthly; requiring state agencies to take  
 30 steps to include administrative health insurance  
 31 assessments in their indirect cost plans for each  
 32 fiscal year; requiring state agencies to notify  
 33 certain entities on updated indirect cost plans;  
 34 authorizing the Executive Office of the Governor to  
 35 transfer certain budget authority between state  
 36 agencies for a specified purpose; providing an  
 37 effective date.

38

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

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41 **Section 1. Subsections (8) and (9) of section 110.12315,**  
 42 **Florida Statutes, are amended to read:**

43 110.12315 Prescription drug program.—The state employees'  
 44 prescription drug program is established. This program shall be  
 45 administered by the Department of Management Services, according  
 46 to the terms and conditions of the plan as established by the  
 47 relevant provisions of the annual General Appropriations Act and  
 48 implementing legislation, subject to the following conditions:

49 (8) ~~(a) Effective July 1, 2017, for~~ The state group health  
 50 insurance ~~Standard plan,~~ copayments shall be established

51 annually in the General Appropriations Act. ~~must be made as~~  
 52 ~~follows:~~

- 53 ~~1. For a supply for up to 30 days from a retail pharmacy:~~
- 54 ~~a. For generic drug .....\$7.~~
- 55 ~~b. For preferred brand name drug .....\$30.~~
- 56 ~~c. For nonpreferred brand name drug .....\$50.~~

- 57 ~~2. For a supply for up to 90 days from a mail order~~
- 58 ~~pharmacy or a retail pharmacy:~~
- 59 ~~a. For generic drug.....\$14.~~
- 60 ~~b. For preferred brand name drug.....\$60.~~
- 61 ~~c. For nonpreferred brand name drug.....\$100.~~

62 ~~(b) Effective July 1, 2017, for the State Group Health~~  
 63 ~~Insurance High Deductible Plan, coinsurance must be paid as~~  
 64 ~~follows:~~

- 65 ~~1. For a supply for up to 30 days from a retail pharmacy:~~
- 66 ~~a. For generic drug .....30%.~~
- 67 ~~b. For preferred brand name drug .....30%.~~
- 68 ~~c. For nonpreferred brand name drug .....50%.~~

- 69 ~~2. For a supply for up to 90 days from a mail order~~
- 70 ~~pharmacy or a retail pharmacy:~~
- 71 ~~a. For generic drug.....30%.~~
- 72 ~~b. For preferred brand name drug.....30%.~~
- 73 ~~c. For nonpreferred brand name drug.....50%.~~

74 (9) (a) Beginning with the 2026 ~~2020~~ plan year, the  
 75 department must implement formulary management for prescription

76 | drugs and supplies. Such management practices must require  
77 | prescription drugs to be subject to formulary inclusion or  
78 | exclusion but may not restrict access to the most clinically  
79 | appropriate, clinically effective, and lowest net-cost  
80 | prescription drugs and supplies. ~~Drugs excluded from the~~  
81 | ~~formulary must be available for inclusion if a physician,~~  
82 | ~~advanced practice registered nurse, or physician assistant~~  
83 | ~~prescribing a pharmaceutical clearly states on the prescription~~  
84 | ~~that the excluded drug is medically necessary.~~ Prescription  
85 | drugs and supplies first made available in the marketplace after  
86 | January 1, 2026 ~~2020~~, may not be covered by the prescription  
87 | drug program until specifically included in the list of covered  
88 | prescription drugs and supplies.

89 | (b) No later than October 1, 2025 ~~2019~~, and by each  
90 | October 1 thereafter, the department must submit to the  
91 | Governor, the President of the Senate, and the Speaker of the  
92 | House of Representatives the list of prescription drugs and  
93 | supplies that will be excluded from program coverage for the  
94 | next plan year. If the department proposes to exclude  
95 | prescription drugs and supplies after the plan year has  
96 | commenced, the department must provide notice to the Governor,  
97 | the President of the Senate, and the Speaker of the House of  
98 | Representatives of such exclusions at least 60 days before  
99 | implementation of such exclusions.

100 | **Section 2. Section 110.12316, Florida Statutes, is created**

101 **to read:**

102 110.12316 Administrative health insurance assessments  
103 against state agencies for vacant positions.-

104 (1) As used in this section, the term "state agency" means  
105 an agency within the State Personnel System, the Department of  
106 the Lottery, the Justice Administrative Commission and all  
107 entities administratively housed in the Justice Administrative  
108 Commission, and the state courts system.

109 (2) Effective July 1, 2025, and on the first day of each  
110 month thereafter, the Department of Management Services shall  
111 make an administrative health insurance assessment against each  
112 state agency equal to the employer's cost of individual employee  
113 health care coverage for each vacant position within the state  
114 agency eligible for coverage through the Division of State Group  
115 Insurance.

116 (3) Within 30 days after receipt of the administrative  
117 health insurance assessment under subsection (2) from the  
118 department, each state agency shall remit to the State Employees  
119 Health Insurance Trust Fund the assessment for the state group  
120 insurance program, as provided in ss. 110.123 and 110.1239, from  
121 currently allocated moneys for salaries and benefits. If a state  
122 agency becomes more than 60 days delinquent in payment of the  
123 assessment, the department shall certify to the Chief Financial  
124 Officer the amount due and the Chief Financial Officer shall  
125 transfer to the department the amount due.

126        (4) The administrative health insurance assessment must  
127 apply to all vacant positions funded with state funds, whether  
128 fully or partially funded with state funds. Vacant positions  
129 partially funded with state funds must pay a percentage of the  
130 assessment imposed in subsection (2) equal to the percentage  
131 share of state funds provided for the vacant positions. The  
132 assessment does not apply to vacant positions that are fully  
133 funded with federal funds. By July 31, 2025, each state agency  
134 shall provide the department with a complete list of all  
135 positions by position number which are fully or partially funded  
136 with federal funds, and shall include the percentage of federal  
137 funding for each position. Thereafter, each state agency shall  
138 update the list on the last day of each month. For vacant  
139 positions that are fully or partially funded with federal funds,  
140 each state agency shall immediately take steps to include the  
141 administrative health insurance assessment in its indirect cost  
142 plan for the 2025-2026 fiscal year and each fiscal year  
143 thereafter. A state agency shall notify the department, the  
144 Executive Office of the Governor, and the chair and vice chair  
145 of the Legislative Budget Commission of the updated indirect  
146 cost plan, upon approval from the federal awarding agency. If  
147 the state agency cannot obtain approval from its federal  
148 awarding agency, the state agency shall notify the department,  
149 the Executive Office of the Governor, and the chair and vice  
150 chair of the Legislative Budget Commission no later than January

151 15 of each calendar year.

152 (5) Pursuant to the notice, review, and objection  
153 procedures of s. 216.177, the Executive Office of the Governor  
154 may transfer budget authority appropriated in the Salaries and  
155 Benefits appropriation category between state agencies in order  
156 to align the appropriations granted with the assessment that  
157 must be paid by each state agency to the department for the  
158 administrative health insurance assessment.

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