

THE FLORIDA SENATE
2026 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 697 — Drug Prices and Coverage

by Health & Human Services Committee and Rep. Kincart Jonsson and others (CS/CS/SB 1760 by Appropriations Committee; Health Policy Committee; and Senators Brodeur, Gaetz, Rouson, Massullo, Garcia, Harrell, and Calatayud)

The bill amends the Florida Insurance Code relating to the regulation of pharmacy benefit managers (PBM). The bill also revises drug coverage in the Department of Health’s (DOH) AIDS Drug Assistance Program (ADAP) for the remainder of Fiscal Year 2025-2026.

PBM Regulation

The bill revises the definition of “pharmacy benefits plan or program” to exclude a plan which only serves beneficiaries of Program of All-Inclusive Care for the Elderly organizations.

The bill revises the administrative appeal process for a pharmacy or pharmacist to contest the maximum allowable cost (MAC) pricing information and the reimbursement made by a PBM for a specific drug by allowing the pharmacy or pharmacist the option to submit an electronic spreadsheet containing a consolidated administrative appeal representing multiple adjudicated claims that share the same drug and day supply and have a date of service occurring within the same calendar month.

The bill creates two new prohibited practices for a PBM. PBMs are prohibited from:

- Prohibiting or restricting a pharmacy or pharmacist from declining to dispensing a drug if the reimbursement rate is less than the actual acquisition cost incurred or would be incurred by the pharmacy or pharmacist.
- Reimbursing a pharmacy or pharmacist less than the PBM reimburses an affiliated pharmacy or pharmacist, as those terms are defined in s. 626.8825(1), F.S.

ADAP Provisions

The bill creates a non-statutory section of the Laws of Florida relating to the ADAP which takes effect upon the bill becoming a law. The bill provides funding for the Ryan White Part B AIDS Drug Assistance Program for the remainder of Fiscal Year 2025-2026. It appropriates \$30,901,933 from the Grants and Donations Trust Fund to the DOH on a nonrecurring basis through June 30, 2026.

The bill provides that:

- For purposes of ADAP eligibility through June 30, 2026, the term “low income” means an adjusted gross household income at or below 400 percent of the federal poverty level.
- Through June 30, 2026, ADAP medications are to be distributed directly to eligible individuals by the DOH and not through the purchase of health insurance, and HIV/AIDS medications directly dispensed under ADAP must include all medications listed on the “Florida AIDS Drug Assistance Program (ADAP) Formulary” as that formulary existed on March 1, 2026.

- The DOH must ensure the availability of a clinically appropriate medication for individuals with a creatinine clearance of less than 60 milliliters per minute.
- The “Florida AIDS Drug Assistance Program (ADAP) Self-Insured Formulary,” as that formulary existed on March 1, 2026, must remain in effect through at least June 30, 2026.

The DOH is directed to adopt the above ADAP requirements by emergency rule, and remain effective through June 30, 2026.

Commencing April 1, 2026, the DOH must provide, monthly, detailed accounting reports for the ADAP to the Governor’s Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House of Representatives Budget Committee, according to specified criteria.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on July 1, 2026, except as otherwise provided.

Vote: Senate 38-0; House 108-0