



488692

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2011	.	
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The Committee on Budget (Sobel) recommended the following:

Senate Amendment (with title amendment)

Between lines 4451 and 4452
insert:

Section 52. Section 409.980, Florida Statutes, is created
to read:

409.980 Prescribed drug services for qualified plans.-The
agency shall ensure that a qualified plan has transparency and
patient protections in its prescription drug benefit. The
qualified plan must, at a minimum:

(1) Include at least two products, when available, in each
therapeutic class.

(2) Make available those drugs and dosage forms listed in



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14 its preferred drug list.

15 (3) Make the prior-authorization process readily available
16 to health care providers, including posting such process on its
17 website.

18 (4) Not arbitrarily deny or reduce the amount, duration, or
19 scope of prescriptions based solely on the enrollee's diagnosis,
20 type of illness, or condition. The qualified plan may place
21 appropriate limits on prescriptions based on criteria such as
22 medical necessity, or for the purpose of utilization control, if
23 the plan reasonably expects such limits to achieve the purpose
24 of the prescribed drug services set forth in the Medicaid state
25 plan.

26 (5) Make available those drugs not on its preferred drug
27 list, when requested and approved, if drugs on the list have
28 been used in a step therapy sequence or if other medical
29 documentation is provided.

30 (6) Cover the cost of a brand name drug if the prescriber
31 writes in his or her own handwriting on the prescription that
32 the brand name drug is medically necessary and submits a
33 completed multisource drug and miscellaneous prior authorization
34 form to the qualified plan indicating that the enrollee has had
35 an adverse reaction to a generic drug or has had, in the
36 prescriber's medical opinion, better results when taking the
37 brand name drug.

38 (7) Ensure that antiretroviral agents are not subject to
39 the preferred drug list.

40
41 ===== T I T L E A M E N D M E N T =====

42 And the title is amended as follows:



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43 Delete line 255
44 and insert:
45 evaluation of dually eligible nursing home residents;
46 creating s. 409.980, F.S.; providing minimum
47 requirements for prescription drug benefits provided
48 by a qualified plan;