

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health Innovation
2 Subcommittee

3 Representative Harrison offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 627.6476, Florida Statutes, is created
8 to read:

9 627.6476 Step Therapy protocols.-

10 (1) As used in this section, the term "step therapy
11 protocol" means a written protocol that specifies the order in
12 which a certain prescription drug must be used to treat an
13 insured's condition.

14 (2) (a) An insured may not be required to repeat a step
15 therapy protocol with either their current health insurer or a
16 new health insurer for a prescription drug provided that the

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17 drug is appropriately prescribed and is considered safe and
18 effective for the insured's condition.

19 (b) Nothing in this section shall preclude an insured's
20 new health insurer from imposing a prior authorization
21 requirement for the continued coverage of a drug prescribed
22 pursuant to a step therapy protocol imposed by the former health
23 insurer.

24 (c) A health insurer is not required to add a drug to its
25 prescription drug formulary, or to cover a prescription drug's
26 use for a purpose not currently covered by the insurer, to
27 comply with the section.

28 (d) This section applies to contracts entered into or
29 renewed on or after January 1, 2019. This section does not apply
30 to Medicaid managed care plans pursuant to part IV of chapter
31 409.

32 Section 2. Section 627.6671, Florida Statutes, is created
33 to read:

34 627.6671 Step Therapy protocols.-

35 (1) As used in this section, the term "step therapy
36 protocol" means a written protocol that specifies the order in
37 which a certain prescription drug must be used to treat an
38 insured's condition.

39 (2) (a) An insured may not be required to repeat a step
40 therapy protocol with either their current health insurer or a
41 new health insurer for a prescription drug provided that the

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42 drug is appropriately prescribed and is considered safe and
43 effective for the insured's condition.

44 (b) Nothing in this section shall preclude an insured's
45 new health insurer from imposing a prior authorization
46 requirement for the continued coverage of a drug prescribed
47 pursuant to a step therapy protocol imposed by the former health
48 insurer.

49 (c) A health insurer is not required to add a drug to its
50 prescription drug formulary, or to cover a prescription drug's
51 use for a purpose not currently covered by the insurer, to
52 comply with the section.

53 (d) This section applies to contracts entered into or
54 renewed on or after January 1, 2019. This section does not apply
55 to Medicaid managed care plans pursuant to part IV of chapter
56 409.

57 Section 3. Section 641.317, Florida Statutes, is created
58 to read:

59 641.317 Step Therapy protocols.-

60 (1) As used in this section, the term "step therapy
61 protocol" means a written protocol that specifies the order in
62 which a certain prescription drug must be used to treat a
63 subscriber's condition.

64 (2) (a) A subscriber may not be required to repeat a step
65 therapy protocol with either their current health maintenance
66 organization or a new health maintenance organization for a

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67 prescription drug provided that the drug is appropriately
68 prescribed and is considered safe and effective for the
69 subscriber's condition.

70 (b) Nothing in this section shall preclude a subscriber's
71 new health maintenance organization from imposing a prior
72 authorization requirement for the continued coverage of a drug
73 prescribed pursuant to a step therapy protocol imposed by the
74 former health maintenance organization.

75 (c) A health maintenance organization is not required to
76 add a drug to its prescription drug formulary, or to cover a
77 prescription drug's use for a purpose not currently covered by
78 the health maintenance organization, to comply with the section.

79 (d) This section applies to contracts entered into or
80 renewed on or after January 1, 2019. This section does not apply
81 to Medicaid managed care plans pursuant to part IV of chapter
82 409.

83 Section 4. This act shall take effect July 1, 2018.

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

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Remove everything before the enacting clause and insert:

89

An act relating to step therapy protocols; creating s. 627.6476,

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F.S.; defining "step therapy"; prohibiting health insurers from

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requiring insureds to repeat step therapy protocols; providing

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 199 (2018)

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92 applicability; creating s. 627.6671, F.S.; defining "step
93 therapy"; prohibiting health insurers from requiring insureds to
94 repeat step therapy protocols; providing applicability; creating
95 s. 641.317, F.S.; defining "step therapy"; prohibiting health
96 insurers from requiring insureds to repeat step therapy
97 protocols; providing applicability; providing an effective date.
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