

**By** the Committee on Banking and Insurance; and Senators Cruz, Stewart, Berman, and Taddeo

597-02279-20

2020116c1

1                                   A bill to be entitled  
2       An act relating to prescription insulin drugs;  
3       creating ss. 627.64085 and 627.65746, F.S.; defining  
4       the term "prescription insulin drug"; requiring  
5       individual and group health insurance policies,  
6       respectively, to cap an insured's monthly cost-sharing  
7       obligation for covered prescription insulin drugs at a  
8       specified amount; providing construction; authorizing  
9       the Financial Services Commission to adopt rules;  
10      amending s. 627.6699, F.S.; requiring health benefit  
11      plans covering small employers to comply with such  
12      requirement; amending s. 641.31, F.S.; defining the  
13      term "prescription insulin drug"; requiring health  
14      maintenance contracts to cap a subscriber's monthly  
15      cost-sharing obligation for covered prescription  
16      insulin drugs at a specified amount; providing  
17      construction; authorizing the commission to adopt  
18      rules; providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22       Section 1. Section 627.64085, Florida Statutes, is created  
23 to read:

24       627.64085 Cost sharing for prescription insulin drugs;  
25 limits.-

26       (1) As used in this section, the term "prescription insulin  
27 drug" means a prescription drug that contains insulin, is used  
28 to treat diabetes, and has been prescribed as medically  
29 necessary by the treating physician.

597-02279-20

2020116c1

30 (2) A health insurance policy that provides coverage for  
31 prescription insulin drugs must cap the total amount of cost  
32 sharing that an insured is required to pay for a covered  
33 prescription insulin drug at an amount not to exceed \$100 per  
34 30-day supply of the insulin drug, regardless of the amount or  
35 type of insulin needed to fill the insured's prescription.

36 (3) This section does not prevent an insurer from reducing  
37 an insured's cost-sharing obligation by an amount greater than  
38 the amount specified in subsection (2).

39 (4) The commission may adopt rules to administer this  
40 section.

41 Section 2. Section 627.65746, Florida Statutes, is created  
42 to read:

43 627.65746 Cost sharing for prescription insulin drugs;  
44 limits.-

45 (1) As used in this section, the term "prescription insulin  
46 drug" means a prescription drug that contains insulin, is used  
47 to treat diabetes, and has been prescribed as medically  
48 necessary by the treating physician.

49 (2) A group health insurance policy that provides coverage  
50 for prescription insulin drugs must cap the total amount of cost  
51 sharing that an insured is required to pay for a covered  
52 prescription insulin drug at an amount not to exceed \$100 per  
53 30-day supply of the insulin drug, regardless of the amount or  
54 type of insulin needed to fill the insured's prescription.

55 (3) This section does not prevent an insurer from reducing  
56 an insured's cost-sharing obligation by an amount greater than  
57 the amount specified in subsection (2).

58 (4) The commission may adopt rules to administer this

597-02279-20

2020116c1

59 section.

60 Section 3. Paragraph (g) is added to subsection (5) of  
61 section 627.6699, Florida Statutes, to read:

62 627.6699 Employee Health Care Access Act.—

63 (5) AVAILABILITY OF COVERAGE.—

64 (g) A health benefit plan covering small employers which is  
65 issued or renewed on or after January 1, 2021, must comply with  
66 s. 627.65746.

67 Section 4. Subsection (48) is added to section 641.31,  
68 Florida Statutes, to read:

69 641.31 Health maintenance contracts.—

70 (48) (a) As used in this subsection, the term “prescription  
71 insulin drug” means a prescription drug that contains insulin,  
72 is used to treat diabetes, and has been prescribed as medically  
73 necessary by the treating physician.

74 (b) A health maintenance contract that provides coverage  
75 for prescription insulin drugs must cap the total amount of cost  
76 sharing that a subscriber is required to pay for a covered  
77 prescription insulin drug at an amount not to exceed \$100 per  
78 30-day supply of the insulin drug, regardless of the amount or  
79 type of insulin needed to fill the subscriber’s prescription.

80 (c) This subsection does not prevent a health maintenance  
81 organization from reducing a subscriber’s cost-sharing  
82 obligation by an amount greater than the amount specified in  
83 paragraph (b).

84 (d) The commission may adopt rules to administer this  
85 subsection.

86 Section 5. This act shall take effect January 1, 2021.