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LEGISLATIVE ACTION

Senate

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House

The Committee on Banking and Insurance (Thurston) recommended the following:

Senate Amendment (with title amendment)

Between lines 510 and 511

insert:

Section 7. Section 627.444, Florida Statutes, is created to read:

627.444 Health insurers; prescription drug spending reports.—

(1) As used in this section, the term:

(a) "Specialty drug" means a prescription drug on a health



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11 insurer's formulary which is also covered under Medicare Part D
12 and exceeds the specialty tier cost threshold established by the
13 federal Centers for Medicare and Medicaid Services.

14 (b) "Utilization management" means a set of formal
15 techniques designed to monitor the use of or evaluate the
16 medical necessity, appropriateness, efficacy, or efficiency of
17 health care services, procedures, or settings.

18 (2) By February 1 of each year, each health insurer shall
19 submit to the office a report including all of the following
20 information across all health insurance policies for the
21 preceding calendar year:

22 (a) The names of the 25 most frequently prescribed
23 prescription drugs.

24 (b) The percentage of any increase in annual net spending
25 for prescription drugs.

26 (c) The percentage of any increase in premiums which was
27 attributable to prescription drugs.

28 (d) The percentage of specialty drugs with utilization
29 management requirements prescribed.

30 (e) Any premium reductions that were attributable to
31 specialty drug utilization management.

32 (3) A report submitted under this section may not disclose
33 the identity of a specific health insurance policy or the price
34 charged for a specific prescription drug or class of
35 prescription drugs.

36 (4) By May 1 of each year, the office shall publish on its
37 website aggregated data from all reports it received under this
38 section for that year. The data from the reports may not be
39 published in a manner that would disclose or tend to disclose



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40 any health insurer's proprietary or confidential information.

41 (5) The commission may adopt rules to administer this
42 section.

43 Section 8. Section 641.262, Florida Statutes, is created to
44 read:

45 641.262 Prescription drug spending reports.-

46 (1) As used in this section, the term:

47 (a) "Specialty drug" means a prescription drug on a health
48 maintenance organization's formulary which is also covered under
49 Medicare Part D and exceeds the specialty tier cost threshold
50 established by the federal Centers for Medicare and Medicaid
51 Services.

52 (b) "Utilization management" means a set of formal
53 techniques designed to monitor the use of or evaluate the
54 medical necessity, appropriateness, efficacy, or efficiency of
55 health care services, procedures, or settings.

56 (2) By February 1 of each year, each health maintenance
57 organization shall submit to the office a report including all
58 of the following information across all health maintenance
59 contracts for the preceding calendar year:

60 (a) The names of the 25 most frequently prescribed
61 prescription drugs.

62 (b) The percentage of any increase in annual net spending
63 for prescription drugs.

64 (c) The percentage of any increase in premiums which was
65 attributable to prescription drugs.

66 (d) The percentage of specialty drugs with utilization
67 management requirements prescribed.

68 (e) Any premium reduction that was attributable to



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69 specialty drug utilization management.

70 (3) A report submitted under this section may not disclose
71 the identity of a specific health maintenance contract or the
72 price charged for a specific prescription drug or class of
73 prescription drugs.

74 (4) By May 1 of each year, the office shall publish on its
75 website aggregated data from all reports it received under this
76 section for that year. The data from the reports may not be
77 published in a manner that would disclose or tend to disclose
78 any health maintenance organization's proprietary or
79 confidential information.

80 (5) The commission may adopt rules to administer this
81 section.

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

84 And the title is amended as follows:

85 Between lines 39 and 40

86 insert:

87 creating ss. 627.444 and 641.262, F.S.; defining the
88 terms "specialty drugs" and "utilization management";
89 requiring health insurers and health maintenance
90 organizations to annually report to the office
91 specified prescription drug spending information
92 across all of their health insurance policies and
93 health maintenance contracts, respectively;
94 prohibiting the disclosure of certain information in
95 the reports; requiring the office to annually publish
96 a certain report on its website; prohibiting the
97 publication of data in the report in a certain manner;



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authorizing the commission to adopt rules;