

CHAPTER 2017-94

Committee Substitute for Committee Substitute for Senate Bill No. 800

An act relating to medication synchronization; creating s. 627.64196, F.S., and amending s. 641.31, F.S.; requiring health insurers and health maintenance organizations, respectively, which issue or deliver certain policies or contracts to offer medication synchronization to allow insureds and subscribers to align refill dates for certain drugs at least once in a plan year; requiring such insurers and health maintenance organizations to implement a process for aligning such dates; authorizing medical synchronization only through a network pharmacy; providing exceptions from partial filling for the purpose of aligning refill dates; requiring such insurers and health maintenance organizations to pay, except under certain circumstances, the full dispensing fee for a partial refill to align refill dates; requiring such insurers and health maintenance organizations to prorate certain cost-sharing obligations; providing applicability; providing that specified alternate processes used by health insurers and health maintenance organizations comply with medication synchronization requirements; providing an effective date.

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

Section 1. Section 627.64196, Florida Statutes, is created to read:

627.64196 Medication synchronization.—

(1) A health insurer issuing or delivering in this state an individual or a group health insurance policy that provides prescription drug coverage shall offer medication synchronization to allow an insured to align at least once in a plan year the refill dates for prescription drugs covered by the policy. The insurer shall implement a process for dispensing prescription drugs to an insured for the purpose of aligning the refill dates of such drugs, and such medication synchronization may be available only through a network pharmacy. A controlled substance, a prescription drug dispensed in an unbreakable package, or a multidose unit of a prescription drug may not be partially filled for the purpose of aligning refill dates. The insurer shall pay a full dispensing fee to the network pharmacy for each partial refill of a covered prescription drug dispensed to align refill dates, unless otherwise agreed to by the plan and the network pharmacy at the time an insured requests medication synchronization. The insurer shall prorate the cost-sharing obligations of the insured for each partial refill of a covered prescription drug dispensed to align refill dates. This section applies to policies renewed or entered into on or after January 1, 2018.

(2) Notwithstanding subsection (1), an alternate process used by an insurer which includes early refill dates, refill overrides, and access on the

insurer's public website to the terms and conditions of such a process is deemed to comply with the requirements of this section.

Section 2. Subsection (44) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(44)(a) A health maintenance organization issuing or delivering in this state a health maintenance contract that provides prescription drug coverage shall offer medication synchronization to allow a subscriber to align at least once in a plan year the refill dates for prescription drugs covered by the health maintenance contract. The health maintenance organization shall implement a process for dispensing prescription drugs to a subscriber for the purpose of aligning the refill dates of such drugs, and such medication synchronization may be available only through a network pharmacy. A controlled substance, a prescription drug dispensed in an unbreakable package, or a multidose unit of a prescription drug may not be partially filled for the purpose of aligning refill dates. The health maintenance organization shall pay a full dispensing fee to the network pharmacy for each partial refill of a covered prescription drug dispensed to align refill dates, unless otherwise agreed to by the plan and the network pharmacy at the time a subscriber requests medication synchronization. The health maintenance organization shall prorate the cost-sharing obligations of the subscriber for each partial refill of a covered prescription drug dispensed to align refill dates. This subsection applies to contracts renewed or entered into on or after January 1, 2018.

(b) Notwithstanding paragraph (a), an alternate process used by a health maintenance organization which includes early refill dates, refill overrides, and access on the health maintenance organization's public website to the terms and conditions of such a process is deemed to comply with the requirements of this subsection.

Section 3. This act shall take effect January 1, 2018.

Approved by the Governor June 14, 2017.

Filed in Office Secretary of State June 14, 2017.