

By the Committee on Health Care Standards & Regulatory Reform and Representative D. Prewitt

1                                   A bill to be entitled  
2           An act relating to pharmaceuticals; creating a  
3           study commission for the purpose of studying  
4           the variations in the cost of prescription  
5           drugs; providing for membership; providing for  
6           organization and administration; requiring  
7           meetings and public hearings; providing for  
8           expert testimony; requiring a report; providing  
9           an effective date.

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

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13           Section 1. Prescription Drug Policy Review

14 Commission.--

15           (1) There is hereby created an independent study  
16 commission, designated as the Prescription Drug Policy Review  
17 Commission. The commission shall consist of 30 members, as  
18 follows:

19           (a) One member of the House of Representatives  
20 appointed by the Speaker of the House of Representatives.

21           (b) Two members of the Senate appointed by the  
22 President of the Senate.

23           (c) The Director of Health Care Administration or a  
24 designee.

25           (d) The State Health Officer or a designee.

26           (e) The Secretary of Business and Professional  
27 Regulation or a designee.

28           (f) Twenty-four members appointed by the Governor, as  
29 follows:

30           1. Two members representing the Florida Pharmacy  
31 Association who are practicing pharmacists.

- 1           2. One member representing the Florida Podiatric  
2 Medical Association.
- 3           3. One member representing the Florida Optometric  
4 Association.
- 5           4. One member representing independent pharmacies.
- 6           5. One member representing the Florida Retail  
7 Federation who is engaged in retail pharmacy.
- 8           6. One member representing high-volume chain  
9 pharmacies.
- 10          7. One member representing the Florida Academy of  
11 Family Physicians.
- 12          8. One member representing the Florida Nurses  
13 Association.
- 14          9. One member representing the Florida Osteopathic  
15 Medical Association.
- 16          10. One member representing the Florida Medical  
17 Association.
- 18          11. One member representing pharmaceutical  
19 manufacturers.
- 20          12. Two consumer members, one of whom is 60 years of  
21 age or older.
- 22          13. One member representing the Florida Association of  
23 Wholesale Druggists.
- 24          14. One member from each of the following hospital  
25 associations: the Florida League of Health Systems, the  
26 Association of Community Hospitals and Health Systems of  
27 Florida, and the Florida Hospital Association.
- 28          15. One nursing home consulting pharmacist.
- 29          16. One member representing the Florida Hospices,  
30 Inc., with knowledge of acquired immune deficiency syndrome  
31 and acquired immune deficiency syndrome medication delivery.

1           17. One member representing the Florida Association of  
2 Health Maintenance Organizations.

3           18. Two members representing pharmaceutical  
4 manufacturers, one of whom shall be a representative of the  
5 Generic Pharmaceutical Industry Association.

6           19. One member representing direct mail order  
7 providers.

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9 One of the medical professional members shall have a  
10 speciality in geriatric medicine.

11           (2) The chair of the commission shall be elected from  
12 among the commission members and shall not be an agency head  
13 or the designee of an agency head. The commission is assigned  
14 to the Agency for Health Care Administration for  
15 administrative purposes only. The agency shall provide staff  
16 and technical assistance to the commission. The commission  
17 shall meet as soon as possible after July 1, 1997, and may  
18 elect a vice chair and such other officers as may be deemed  
19 necessary by the commission.

20           (3) Commission members shall serve without  
21 compensation. Travel costs for commission members shall be  
22 paid by the commission member or by the organization to which  
23 the commission member belongs.

24           (4)(a) The commission shall hold at least four public  
25 hearings, geographically spread equally around the state, for  
26 the purpose of hearing testimony and studying the variations  
27 in the cost of prescription drugs, both domestic and foreign.  
28 The study shall include manufacturer, wholesale, and retail  
29 prescription drug pricing, including the costs, fees, and time  
30 involved in providing, dispensing, consulting, and delivering  
31 services to institutions and for retail sales; review of

1 federal and other states' policies and regulations regarding  
2 prescription drug prices; and an assessment of the potential  
3 impact of regulatory and market forces, including the "managed  
4 care" effect of federal and state "health care reform" on  
5 prescription drug pricing.

6 (b) The commission may also hear testimony from  
7 experts in the fields of health care cost containment,  
8 pharmacy practice, and pharmaceutical manufacturing and sales,  
9 and from health care providers and practitioners, officials  
10 representing state agencies or the Federal Government, and  
11 such other persons as deemed necessary by the commission for  
12 the accomplishment of its duties.

13 (5) No later than June 1, 1998, the commission shall  
14 submit a report of its findings and recommendations to the  
15 Governor, the Speaker of the House of Representatives, the  
16 President of the Senate, the House and Senate minority  
17 leaders, and the chairs of the appropriate substantive  
18 committees of the House and Senate.

19 Section 2. This act shall take effect upon becoming a  
20 law.

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23 HOUSE SUMMARY

24 Creates the Prescription Drug Policy Review Commission to  
25 study the variations in the cost of prescription drugs in the  
26 state. Provides for commission membership, organization,  
administration, meetings, public hearings, and expert  
testimony. Requires a report to the Governor and Legislature.

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