

Bill No. CS for SB's 1414 and 2520, 1st Eng.

Amendment No.      (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Sanderson offered the following:

**Amendment to Amendment (441261) (with title amendment)**

On page 1, between lines 16 & 17, of the amendment

insert:

Section 1. Subsection (13) of section 409.912, Florida Statutes, 1998 Supplement, is amended to read:

409.912 Cost-effective purchasing of health care.--The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services.

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1           (13)(a) The agency shall identify health care  
2 utilization and price patterns within the Medicaid program  
3 which are not cost-effective or medically appropriate and  
4 assess the effectiveness of new or alternate methods of  
5 providing and monitoring service, and may implement such  
6 methods as it considers appropriate. Such methods may include  
7 disease management initiatives, an integrated and systematic  
8 approach for managing the health care needs of recipients who  
9 are at risk of or diagnosed with a specific disease by using  
10 best practices, prevention strategies, clinical-practice  
11 improvement, clinical interventions and protocols, outcomes  
12 research, information technology, and other tools and  
13 resources to reduce overall costs and improve measurable  
14 outcomes.

15           (b) The responsibility of the agency under this  
16 subsection shall include the development of capabilities to  
17 identify actual and optimal practice patterns; patient and  
18 provider educational initiatives; methods for determining  
19 patient compliance with prescribed treatments; fraud, waste,  
20 and abuse prevention and detection programs; and beneficiary  
21 case management programs.

22           1. The practice pattern identification program shall  
23 evaluate practitioner prescribing patterns based on national  
24 and regional practice guidelines, comparing practitioners to  
25 their peer groups. The agency and its Drug Utilization Review  
26 Board shall consult with a panel of practicing health care  
27 professionals consisting of the following: the Speaker of the  
28 House of Representatives and the President of the Senate shall  
29 each appoint three physicians licensed under ch. 458 or ch.  
30 459; and the Governor shall appoint two pharmacists licensed  
31 under ch. 465 and one dentist licensed under ch. 466 who is an

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1 oral surgeon. Terms of the panel members shall expire at the  
2 discretion of the appointing official. The panel shall begin  
3 its work by August 1, 1999, regardless of the number of  
4 appointments made by that date. The advisory panel shall be  
5 responsible for evaluating treatment guidelines and  
6 recommending ways to incorporate their use in the practice  
7 pattern identification program. Practitioners who are  
8 prescribing inappropriately or inefficiently, as determined by  
9 the agency, may have their prescribing of certain drugs  
10 subject to prior authorization.

11 2. The agency shall also develop educational  
12 interventions designed to promote the proper use of  
13 medications by providers and beneficiaries.

14 3. The agency shall implement a pharmacy fraud, waste,  
15 and abuse initiative that may include a surety bond or letter  
16 of credit requirement for participating pharmacies, enhanced  
17 provider auditing practices, the use of additional fraud and  
18 abuse software, recipient management programs for  
19 beneficiaries inappropriately using their benefits, and other  
20 steps that will eliminate provider and recipient fraud, waste,  
21 and abuse. The initiative shall address enforcement efforts to  
22 reduce the number and use of counterfeit prescriptions.

23 4. The agency may apply for any federal waivers needed  
24 to implement this paragraph.

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

28 And the title is amended as follows:

29 On page 8, line 4, of the amendment  
30 remove: all of said line

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1 and insert in lieu thereof:  
2       An act relating to health care; amending s.  
3       409.912, F.S., relating to purchase of goods  
4       and services for Medicaid recipients; requiring  
5       the Agency for Health Care Administration to  
6       develop certain programs and initiatives  
7       relating to the prescribing, use, and  
8       dispensing of drugs; providing for an advisory  
9       panel on prescription practice patterns;  
10       amending

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