

Bill No. SB 370
Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Myers moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 1, between lines 25 and 26,		
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16	insert:		
17	Section 2. Subsection (2) of section 465.025, Florida		
18	Statutes, is amended to read:		
19	465.025 Substitution of drugs.--		
20	(2) A pharmacist who receives a prescription for a		
21	brand name drug shall, unless requested otherwise by the		
22	purchaser, substitute a less expensive, generically equivalent		
23	drug product that is:		
24	(a) Distributed by a business entity doing business,		
25	and subject to suit and service of legal process, in the		
26	United States; and		
27	(b) Listed in the formulary of generic and brand name		
28	drug products as provided in subsection (5) for the brand name		
29	drug prescribed,		
30			
31	unless the prescriber writes the words "MEDICALLY NECESSARY,"		

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1 in her or his own handwriting, on the face of a written
2 prescription or unless, in the case of an oral prescription,
3 the prescriber expressly indicates to the pharmacist that the
4 brand name drug prescribed is medically necessary. Any
5 pharmacist who substitutes any drug as provided in this
6 subsection must obtain professional liability coverage in the
7 amount of not less than \$3 million per claim.

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9 (Redesignate subsequent sections.)

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

13 And the title is amended as follows:

14 On page 1, line 6, after the semicolon,

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16 insert:

17 amending s. 465.025, F.S.; requiring
18 pharmacists who substitute drugs to maintain
19 specified professional liability coverage;

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