

By Senators Clary, Latvala, Klein, Silver, Lee, Dyer,
Brown-Waite, Geller and Campbell

7-313-01

1 A bill to be entitled
2 An act relating to pharmacy; requiring the
3 removal of specified drugs from the negative
4 formulary for generic and brand-name drugs
5 established in s. 465.025(6), F.S.; providing
6 that the act does not amend existing law
7 relating to a physician's authority to prohibit
8 generic drug substitution by writing "medically
9 necessary" on the prescription; providing an
10 effective date.

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

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14 Section 1. Effective July 1, 2001, the Board of
15 Pharmacy and the Board of Medicine shall remove from the
16 formulary established by section 465.025(6), Florida Statutes,
17 all drugs that have been determined therapeutically equivalent
18 or "A-B"-rated in "Approved Drug Products with Therapeutic
19 Equivalence Evaluations" (Orange Book) published by the United
20 States Food and Drug Administration.

21 Section 2. Nothing in this act shall alter or amend
22 section 465.025, Florida Statutes, as to the existing law
23 providing for the authority of physicians to prohibit generic
24 drug substitution by writing "medically necessary" on the
25 prescription.

26 Section 3. This act shall take effect upon becoming a
27 law.

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LEGISLATIVE SUMMARY

Requires the removal of specified drugs from the negative formulary for generic and brand-name drugs, effective July 1, 2001. Specifies that the act does not alter or amend existing law providing a physician's authority to prohibit generic drug substitution by writing "medically necessary" on the prescription.