

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.   The Board of Pharmacy and the Board of  
15   Medicine shall remove any generic named drug product from the  
16   formulary established by s. 465.025(6), Florida Statutes, if  
17   every commercially marketed equivalent of that drug product is  
18   "A" rated as therapeutically equivalent to a reference listed  
19   drug or is a reference listed drug as referred to in "Approved  
20   Drug Products with Therapeutic Equivalence Evaluations"  
21   (Orange Book) published by the United States Food and Drug  
22   Administration.

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

28           Section 3.   This bill shall take effect upon becoming a  
29   law.  
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