

Bill No. CS for CS for SB 2312, 1st Eng.

Amendment No. \_\_\_\_ Barcode 635218

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2	04/28/2003	WD/3R	
	02:27	PM	
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11 Senator Aronberg moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 140, between lines 23 and 24,

15  
16 insert:

17 Section 34. Section 409.9066, Florida Statutes, is  
18 amended to read:

19 409.9066 Medicare prescription discount program.--

20 (1) As a condition of participation in the Florida  
21 Medicaid program or the pharmaceutical expense assistance  
22 program, a pharmacy must agree to charge any individual who is  
23 a Medicare beneficiary and who is a Florida resident showing a  
24 Medicare card when he or she presents a prescription, a price  
25 no greater than the cost of ingredients equal to the average  
26 wholesale price minus 9 percent, and a dispensing fee of  
27 \$4.50.

28 (2) In lieu of the provisions of subsection (1), and  
29 as a condition of participation in the Florida Medicaid  
30 program or the pharmaceutical expense assistance program, a  
31 pharmacy must agree to:

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1 (a) Provide a private voluntary prescription discount  
2 program to state residents who are Medicare beneficiaries; or

3 (b) Accept a private voluntary discount prescription  
4 program from state residents who are Medicare beneficiaries.

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6 Discounts under this subsection must be at least as great as  
7 discounts under subsection (1).

8 (3) The Agency for Health Care Administration shall  
9 publish, on a free website available to the public, the most  
10 recent average wholesale prices for the 200 drugs most  
11 frequently dispensed to the elderly and, to the extent  
12 possible, shall provide a mechanism that consumers may use to  
13 calculate the retail price that should be paid after the  
14 discount required in subsection (1) is applied.

15 Section 35. By January 1, 2004, the Agency for Health  
16 Care Administration shall submit to the Legislature a report  
17 regarding the cost-effectiveness of, and alternatives to,  
18 using average wholesale price in the pricing of pharmaceutical  
19 products purchased by the Medicaid program.

20  
21 (Redesignate subsequent sections.)

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23  
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 5, line 12, following the semicolon  
27  
28 insert:

29 amending s. 409.9066, F.S.; requiring the  
30 Agency for Health Care Administration to  
31 publish on a website the average wholesale

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1           prices of drugs provided through the program;  
2           requiring the agency to publish additional  
3           information to assist consumers; requiring a  
4           report on methods of pricing pharmaceutical  
5           products purchased by the program;

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