

By Senator Aronberg

27-341-03

1 A bill to be entitled
2 An act relating to the Florida Medicaid
3 program; amending s. 409.9066, F.S.; requiring
4 certain drug manufacturers to disclose average
5 wholesale prices of drugs provided through the
6 program; requiring the Agency for Health Care
7 Administration to publish such information on a
8 website; providing an effective date.

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

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12 Section 1. Section 409.9066, Florida Statutes, is
13 amended to read:

14 409.9066 Medicare prescription discount program.--

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

23 (2) In lieu of the provisions of subsection (1), and
24 as a condition of participation in the Florida Medicaid
25 program or the pharmaceutical expense assistance program, a
26 pharmacy must agree to:

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

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

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

3 (3) As a condition of participation in the Florida
4 Medicaid program or the pharmaceutical expense assistance
5 program, a drug manufacturer must disclose the average
6 wholesale price of all prescription drugs eligible for sale
7 pursuant to subsection (1). The drug manufacturer shall
8 disclose the average wholesale price by providing such
9 information no later than once every 6 months to the Agency
10 for Health Care Administration, which shall publish the
11 information on a free website available to the public.

12 Section 2. This act shall take effect July 1, 2003.

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15 SENATE SUMMARY

16 Requires certain drug manufacturers to disclose the
17 average wholesale price of drugs provided by them through
18 the Florida Medicaid program.

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