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2 An act relating to the Florida Medicaid
3 program; amending s. 409.9066, F.S.; requiring
4 the Agency for Health Care Administration to
5 publish on a website the average wholesale
6 prices of drugs provided through the program;
7 requiring the agency to publish additional
8 information to assist consumers; requiring a
9 report on methods of pricing pharmaceutical
10 products purchased by the program; providing an
11 effective date.

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

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15 Section 1. Section 409.9066, Florida Statutes, is
16 amended to read:

17 409.9066 Medicare prescription discount program.--

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

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

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

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

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

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

13 Section 2. By January 1, 2004, the Agency for Health
14 Care Administration shall submit to the Legislature a report
15 regarding the cost-effectiveness of, and alternatives to,
16 using average wholesale price in the pricing of pharmaceutical
17 products purchased by the Medicaid program.

18 Section 3. This act shall take effect July 1, 2003.
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