



HB 0361

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

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

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

409.9066 Medicare prescription discount program.--

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

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

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

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



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

32 (3) As a condition of participation in the Florida
33 Medicaid program or the pharmaceutical expense assistance
34 program, a drug manufacturer must disclose the average wholesale
35 price of all prescription drugs eligible for sale pursuant to
36 subsection (1). The drug manufacturer shall disclose the average
37 wholesale price by providing such information no later than once
38 every 6 months to the Agency for Health Care Administration,
39 which shall publish the information on a free website available
40 to the public.

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