



HB 0361

2003
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CHAMBER ACTION

The Committee on Health Care recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Florida Medicaid program; amending s. 409.9066, F.S.; requiring the Agency for Health Care Administration to publish on a website the average wholesale prices of certain drugs; requiring additional information; requiring a report to the Legislature on methods of pricing pharmaceutical products; providing an effective date.

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

Section 1. Subsection (3) is added to section 409.9066, Florida Statutes, 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



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29 | greater than the cost of ingredients equal to the average
30 | wholesale price minus 9 percent, and a dispensing fee of \$4.50.

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

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

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

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40 | Discounts under this subsection must be at least as great as
41 | discounts under subsection (1).

42 | (3) The Agency for Health Care Administration shall
43 | publish, on an Internet website available free to the public,
44 | the most recent average wholesale prices for the 200 drugs most
45 | frequently dispensed to the elderly and, to the extent possible,
46 | shall provide a mechanism that consumers may use to calculate
47 | the retail price that should be paid after the discount required
48 | in subsection (1) is applied.

49 | Section 2. By January 1, 2004, the Agency for Health Care
50 | Administration shall submit to the Speaker of the House of
51 | Representatives and the President of the Senate a report
52 | regarding the cost-effectiveness of, and alternatives to, using
53 | the average wholesale price in the pricing of pharmaceutical
54 | products purchased by the Medicaid program.

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

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