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CS/CS/HB 1049, Engrossed 1

2015 Legislature

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2 An act relating to the practice of pharmacy; amending
3 s. 465.0276, F.S.; specifying that the Florida
4 Pharmacy Act and rules adopted thereunder do not
5 prohibit a veterinarian from administering a
6 compounded drug to a patient or dispensing a
7 compounded drug to the patient's owner or caretaker;
8 providing applicability; creating s. 465.1862, F.S.;
9 defining terms; requiring that each contract or
10 contract renewal between a pharmacy benefits manager
11 and a pharmacy require the pharmacy benefits manager
12 to periodically update the maximum allowable cost
13 pricing information and to maintain a procedure to
14 eliminate certain drugs from the list of those subject
15 to maximum allowable cost pricing or modify maximum
16 allowable cost prices to remain consistent with
17 changes in certain pricing data; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Subsection (6) is added to section 465.0276,
23 Florida Statutes, to read:

24 465.0276 Dispensing practitioner.—

25 (6) This chapter and the rules adopted thereunder do not
26 prohibit a veterinarian licensed under chapter 474 from



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27 administering a compounded drug to a patient, as defined in s.
28 474.202, or dispensing a compounded drug to the patient's owner
29 or caretaker. This subsection does not affect the regulation of
30 the practice of pharmacy as set forth in this chapter.

31 Section 2. Section 465.1862, Florida Statutes, is created
32 to read:

33 465.1862 Pharmacy benefits manager contracts.-

34 (1) As used in this section, the term:

35 (a) "Maximum allowable cost" means the per-unit amount
36 that a pharmacy benefits manager reimburses a pharmacist for a
37 prescription drug, excluding dispensing fees, prior to the
38 application of copayments, coinsurance, and other cost-sharing
39 charges, if any.

40 (b) "Pharmacy benefits manager" means a person or entity
41 doing business in this state which contracts to administer or
42 manage prescription drug benefits on behalf of a health
43 insurance plan, as defined in s. 627.6482, to residents of this
44 state.

45 (2) Each contract execution or contract renewal between a
46 pharmacy benefits manager and a pharmacy must include
47 requirements that the pharmacy benefits manager:

48 (a) Update maximum allowable cost pricing information at
49 least every 7 calendar days; and

50 (b) Maintain a process that will, in a timely manner,
51 eliminate drugs from maximum allowable cost lists or modify drug
52 prices to remain consistent with changes in pricing data used in



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53 | formulating maximum allowable cost prices and product
54 | availability.

55 | Section 3. This act shall take effect July 1, 2015.