



618008

LEGISLATIVE ACTION

| Senate     | . | House |
|------------|---|-------|
| Comm: RCS  | . |       |
| 04/16/2015 | . |       |
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The Committee on Regulated Industries (Latvala) recommended the following:

1           **Senate Amendment to Amendment (435334) (with title**  
2 **amendment)**

3  
4           Between lines 13 and 14  
5 insert:

6           Section 2. Section 465.1862, Florida Statutes, is created  
7 to read:

8           465.1862 Pharmacy Benefits Manager Contracts.—

9           (1) (a) "Maximum allowable cost" means the per-unit amount  
10 that a pharmacy benefits manager reimburses a pharmacist for a



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11 prescription drug, excluding dispensing fees, prior to the  
12 application of copayments, coinsurance, and other cost-sharing  
13 charges, if any.

14 (b) "Pharmacy benefits manager" means a person or entity  
15 doing business in this state which contracts to administer or  
16 manage prescription drug benefits on behalf of a health  
17 insurance plan, as defined in s. 627.6482, to residents of this  
18 state.

19 (2) Each contract execution or contract renewal between a  
20 pharmacy benefits manager and a pharmacy must include  
21 requirements that the pharmacy benefits manager:

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

24 (b) Maintain a process that will, in a timely manner,  
25 eliminate drugs from maximum allowable cost lists or modify drug  
26 prices to remain consistent with changes in pricing data used in  
27 formulating maximum allowable cost prices and product  
28 availability.

30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete line 27

33 and insert:

34 providing applicability; creating s. 465.1862, F.S.;

35 defining terms; requiring that each contract or

36 contract renewal between a pharmacy benefits manager

37 and a pharmacy require the pharmacy benefits manager

38 to periodically update the maximum allowable cost

39 pricing information and to maintain a procedure to



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40 eliminate certain drugs from the list of those subject  
41 to maximum allowable cost pricing or modify maximum  
42 allowable cost prices to remain consistent with  
43 changes in certain pricing data; providing an  
44 effective date.