

1 A bill to be entitled
 2 An act relating to Medicaid pharmacy discounted drug
 3 prices; creating s. 409.9067, F.S.; requiring drug
 4 manufacturers to sell specified drugs to Medicaid
 5 pharmacies at 340B Drug Pricing Program discounted
 6 prices; providing delivery methods for such drugs;
 7 requiring drug manufacturers to pay rebates to the
 8 state under certain circumstances; requiring pharmacy
 9 benefits managers participating in the Medicaid
 10 program to pay Medicaid pharmacies for specified drugs
 11 at 340B Drug Pricing Program discounted prices;
 12 requiring drug wholesalers and distributors to sell
 13 specified drugs to Medicaid pharmacies at 340B Drug
 14 Pricing Program discounted prices; prohibiting drug
 15 wholesalers and distributors from changing current
 16 pricing models and programs by engaging in certain
 17 acts; limiting the sales by Medicaid pharmacies of
 18 specified drugs at 340 Drug Pricing Program discounted
 19 prices to Medicaid recipients; providing an effective
 20 date.

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

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 24 **Section 1. Section 409.9067, Florida Statutes, is created**
 25 **to read:**

26 409.9067 Discounted drug prices under the 340B Drug
27 Pricing Program.—

28 (1) (a) A drug manufacturer must sell a drug to a Medicaid
29 pharmacy at the 340B Drug Pricing Program discounted price or
30 less if the drug is:

31 1. On the Medicaid preferred drug list as described in s.
32 409.912(5); and

33 2. A covered drug under the 340B Drug Pricing Program.

34 (b) The drug described in paragraph (a) may be delivered
35 to the Medicaid pharmacy in any method that the drug
36 manufacturer uses.

37 (c) If a drug manufacturer sells a drug as described in
38 paragraph (a) to a Medicaid pharmacy at the 340B Drug Pricing
39 Program discounted price and the discounted price is higher than
40 the state Medicaid negotiated price, the drug manufacturer shall
41 pay a rebate to the state to comply with the state Medicaid
42 negotiated price.

43 (2) A pharmacy benefits manager participating in the
44 Medicaid program shall pay a Medicaid pharmacy the 340B Drug
45 Pricing Program discounted price plus the professional
46 dispensing fee as determined in rule 59G-4.251, F.A.C., as
47 amended, for any drug that is on the Medicaid preferred drug
48 list as described in s. 409.912(5) and that is a covered drug
49 under the 340B Drug Pricing Program.

50 (3) (a) A drug wholesaler or distributor must sell a drug

51 to a Medicaid pharmacy at the 340B Drug Pricing Program
 52 discounted price if the drug is:
 53 1. On the Medicaid preferred drug list as described in s.
 54 409.912(5); and
 55 2. A covered drug under the 340B Drug Pricing Program.
 56 (b) A drug wholesaler or distributor may not change a
 57 current pricing model or program that is in place with a
 58 Medicaid pharmacy by exempting the drug described in paragraph
 59 (a) from the pricing model or program or referencing such drug
 60 in any way in the pricing model or program.
 61 (4) A Medicaid pharmacy may provide a covered drug at the
 62 340B Drug Pricing Program discounted price only to Medicaid
 63 recipients.
 64 **Section 2.** This act shall take effect January 1, 2026.