

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 71 and 72, insert:

5 Section 2. Paragraph (c) of subsection (12) of section  
6 440.13, Florida Statutes, is amended to read:

7 440.13 Medical services and supplies; penalty for  
8 violations; limitations.—

9 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
10 REIMBURSEMENT ALLOWANCES.—

11 (c) As to reimbursement for a prescription medication,  
12 regardless of the location or provider from which the claimant  
13 receives the prescription medication, the reimbursement amount  
14 for a prescription shall be the average wholesale price plus  
15 \$4.18 or as provided in s. 110.12315(2)(c), whichever is lower,  
16 for the dispensing fee, unless ~~except where~~ the carrier has  
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17 contracted for a lower amount. The reimbursement amount for a  
18 drug that has been repackaged or relabeled shall be calculated  
19 by multiplying the number of units dispensed times the per-unit  
20 average wholesale price set by the original manufacturer of the  
21 underlying drug, which may not be the manufacturer of the  
22 repackaged or relabeled drug, plus \$4.18 or as provided in s.  
23 110.12315(2)(c), whichever is lower, for a dispensing fee,  
24 unless the carrier has contracted for a lower amount. The  
25 repackaged or relabeled drug price may not exceed the amount  
26 otherwise payable had the drug not been repackaged or relabeled.  
27 Fees for pharmaceuticals and pharmaceutical services shall be  
28 reimbursable at the applicable fee schedule amount. Where the  
29 employer or carrier has contracted for such services and the  
30 employee elects to obtain them through a provider not a party to  
31 the contract, the carrier shall reimburse at the schedule,  
32 negotiated, or contract price, whichever is lower. No such  
33 contract shall rely on a provider that is not reasonably  
34 accessible to the employee.

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38 **T I T L E A M E N D M E N T**

39 Between lines 13 and 14, insert:  
40 amending s. 440.13, F.S.; revising requirements for determining  
41 the amount of reimbursement for repackaged or relabeled  
42 prescription medication; providing limitations;

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