## Bill No. <u>CS for CS for SB 940</u>

Amendment No. \_\_\_\_

	CHAMBER ACTION Senate House
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11	Senator Lee moved the following amendment:
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13	Senate Amendment (with title amendment)
14	On page 3, lines 13 through
15	page 5, line 14, delete those lines
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17	and insert: order for a drug product to be covered under
18	Medicaid or this program, the product's manufacturer shall:
19	(a) Provide a rebate to the state equal to the rebate
20	required by the Medicaid program; and
21	(b) Make the drug product available to the program for
22	the best price that the manufacturer makes the drug product
23	available in the Medicaid program.
24	(c) File an annual report with the Agency for Health
25	Care Administration which discloses the amount the
26	manufacturer spent on gifts, payments, subsidies, or other
27	financial inducements, other than complimentary samples of
28	medicinal drugs, to physicians licensed under the Board of
29	Medicine, the Board of Osteopathic Medicine, the Board of
30	Podiatric Medicine, and the Board of Dentistry in this state
31	that do not primarily and directly entail a benefit to
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patients and are of a substantial value. The manufacturer must also disclose any gifts, payments, subsidies, or other financial inducements that exceed \$100 per single practitioner per instance and any cumulative gifts, payments, subsidies, or other financial inducements that exceed \$250 per single practitioner per year. (7) REIMBURSEMENT.--Reimbursements to pharmacies participating in the pharmaceutical expense assistance program established under this section shall be equivalent to reimbursements under the Medicaid program. Section 2. Medicare prescription discount program. -- As a condition of participation in the Medicaid program or the pharmacy benefit program, a pharmacy must charge a price no greater than the average wholesale price minus 9 percent, plus a dispensing fee of \$4.50, when any Florida resident, who is a Medicare beneficiary, shows a Medicare card when presenting a prescription. However, this section does not prohibit a pharmacy from offering its own senior-citizen prescription-drug discount program that provides a greater discount. Section 3. For fiscal year 2000-2001, the sum of \$15 million is appropriated from the General Revenue Fund to the Agency for Health Care Administration for the purpose of implementing the pharmaceutical expense assistance program effective January 1, 2001. Rebates collected under subsection (6) of section 1 of this act shall be used to provide additional benefits or serve additional people in the program.

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(Redesignate subsequent sections.)

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====== T I T L E A M E N D M E N T ========= And the title is amended as follows: On page 1, line 10 through 20, delete those lines and insert: products to be covered under the program or Medicaid; requiring pharmaceutical manufacturers to file disclosure reports to the Agency for Health Care Administration for certain expenditures on certain licensed health care professionals; requiring reimbursements under the program to be the same as those for Medicaid; requiring pharmacies that participate in the program or in Medicaid to agree to limitations on compensation for Medicare beneficiaries; providing appropriations; directing the use of rebates received; providing an