



803430

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD/2R

.

04/26/2017 10:13 AM

.

.

Senator Garcia moved the following:

Senate Amendment (with title amendment)

Before line 14

insert:

Section 1. Section 465.1862, Florida Statutes, is amended
to read:

465.1862 Pharmacy benefits manager contracts; unlawful
acts.—

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

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



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

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

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

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

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

30 (3) A pharmacy benefits manager violates part II of chapter
31 501 if such pharmacy benefits manager willfully fails to:

32 (a) Update its maximum allowable cost pricing information
33 at least once every 7 calendar days; or

34 (b) Eliminate drugs from maximum allowable cost lists or
35 modify drug prices to remain consistent with changes in pricing
36 data used in formulating maximum allowable cost prices and
37 product availability.

38
39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:



803430

41 Delete line 2

42 and insert:

43 An act relating to health insurance; amending s.
44 465.1862, F.S.; providing that a pharmacy benefits
45 manager who willfully fails to perform specified acts
46 violates the Florida Deceptive and Unfair Trade
47 Practices Act;