

By Senator Rodriguez

40-01022-26

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A bill to be entitled  
An act relating to discounted drug pricing study;  
requiring the Agency for Health Care Administration to  
conduct or contract for a specified study; providing  
requirements for the study; requiring the agency to  
provide the results to the Governor and the  
Legislature by a specified date; providing an  
effective date.

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

Section 1. (1) The Agency for Health Care Administration shall conduct or contract for a detailed fiscal impact study to determine the feasibility of implementing the following provisions relating to discounted drug prices under the 340B Drug Pricing Program:

(a)1. Requiring drug manufacturers to sell a drug to Medicaid pharmacies at no more than the 340B Drug Pricing Program discounted price if the drug is:

a. On the Medicaid preferred drug list as described in s. 409.912(5), Florida Statutes.

b. A covered drug under the 340B Drug Pricing Program.

2. Authorizing drug manufacturers to deliver drugs sold in accordance with subparagraph 1. to the purchasing Medicaid pharmacy by any method used by the drug manufacturer.

3. If a drug manufacturer sells a drug in accordance with subparagraph 1. to a Medicaid pharmacy at the 340B Drug Pricing Program discounted price and such discounted price is higher than the state Medicaid negotiated price, requiring the drug

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30 manufacturer to pay a rebate to the state equal to the  
31 difference between the discounted price and the state Medicaid  
32 negotiated price.

33 (b) Requiring pharmacy benefits managers participating in  
34 the Medicaid program to pay a Medicaid pharmacy the 340B Drug  
35 Pricing Program discounted price plus the professional  
36 dispensing fee as determined under rule 59G-4.251, Florida  
37 Administrative Code, as amended, for any drug that is on the  
38 Medicaid preferred drug list as described in s. 409.912(5),  
39 Florida Statutes, and that is a covered drug under the 340B Drug  
40 Pricing Program.

41 (c)1. Requiring drug wholesalers and distributors to sell a  
42 drug to a Medicaid pharmacy at the 340B Drug Pricing Program  
43 discounted price if the drug is:

44 a. On the Medicaid preferred drug list as described in s.  
45 409.912(5), Florida Statutes.

46 b. A covered drug under the 340B Drug Pricing Program.

47 2. Prohibiting drug wholesalers and distributors from  
48 changing an existing pricing model or program that is in place  
49 with a Medicaid pharmacy by exempting a drug described in  
50 paragraph (a) from the pricing model or program or by  
51 referencing such drug in any way in the pricing model or  
52 program.

53 (d) Requiring Medicaid pharmacies to provide a covered drug  
54 under the 340B Drug Pricing Program at the discounted price only  
55 to Medicaid recipients.

56 (2) The agency shall submit the results of the study to the  
57 Governor, the President of the Senate, and the Speaker of the  
58 House of Representatives by January 31, 2027.

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Section 2. This act shall take effect July 1, 2026.