

CHAPTER 2015-127

Committee Substitute for Committee Substitute for House Bill No. 1049

An act relating to the practice of pharmacy; amending s. 465.0276, F.S.; specifying that the Florida Pharmacy Act and rules adopted thereunder do not prohibit a veterinarian from administering a compounded drug to a patient or dispensing a compounded drug to the patient's owner or caretaker; providing applicability; creating s. 465.1862, F.S.; defining terms; requiring that each contract or contract renewal between a pharmacy benefits manager and a pharmacy require the pharmacy benefits manager to periodically update the maximum allowable cost pricing information and to maintain a procedure to eliminate certain drugs from the list of those subject to maximum allowable cost pricing or modify maximum allowable cost prices to remain consistent with changes in certain pricing data; providing an effective date.

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

Section 1. Subsection (6) is added to section 465.0276, Florida Statutes, to read:

465.0276 Dispensing practitioner.—

(6) This chapter and the rules adopted thereunder do not prohibit a veterinarian licensed under chapter 474 from administering a compounded drug to a patient, as defined in s. 474.202, or dispensing a compounded drug to the patient's owner or caretaker. This subsection does not affect the regulation of the practice of pharmacy as set forth in this chapter.

Section 2. Section 465.1862, Florida Statutes, is created to read:

465.1862 Pharmacy benefits manager contracts.—

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

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

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

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

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

Section 3. This act shall take effect July 1, 2015.

Approved by the Governor June 10, 2015.

Filed in Office Secretary of State June 10, 2015.