

MEMORANDUM

Agenda Item No. 11(A)(8)

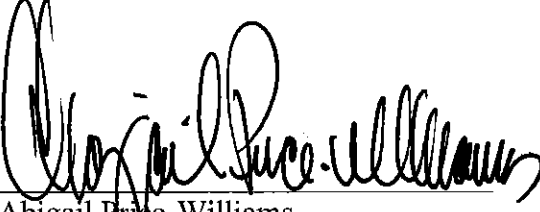
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: February 21, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact S.B. 1494,
H.B. 351, or similar legislation
that would promote prescription
drug pricing transparency

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.


Abigail Price-Williams
County Attorney

APW/lmp

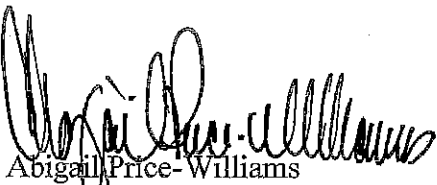


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: February 21, 2018

FROM: 
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County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
2-21-18

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT S.B. 1494, H.B. 351, OR SIMILAR LEGISLATION
THAT WOULD PROMOTE PRESCRIPTION DRUG PRICING
TRANSPARENCY

WHEREAS, prescription drugs account for a significant percentage of healthcare costs;
and

WHEREAS, Senate Bill (S.B.) 1494 and House Bill (H.B.) 351, bills related to
prescription drug pricing transparency, were filed for consideration during the 2018 session of the
Florida Legislative by Senator Bill Montford (D-Quincy) and Representative David Santiago
(R-Deltona), respectively; and

WHEREAS, S.B. 1494 and H.B. 351 would require:

- a) pharmacists to inform customers of certain generically equivalent drug products
and whether or not his or her cost-sharing obligation exceeds the retail price of
the prescription;
- b) pharmacy benefit managers to register with the Office of Insurance Regulation;
- c) certain terms in health insurer contracts with pharmacy benefit managers; and
- d) certain terms in health maintenance organization contracts with pharmacy
benefit managers; and

WHEREAS, pharmacy benefit managers are primarily responsible for developing and
maintaining the formulary, contracting with pharmacies, negotiating discounts and rebates with
drug manufacturers and processing and paying prescription drug claims; and

WHEREAS, in 2017 it was estimated that three super pharmacy benefit managers accounted for an estimated 80 percent of all coverage; and

WHEREAS, proponents of S.B. 1494 and H.B. 351 advise that the legislation would shine light and accountability on pharmacy benefit managers and their practices; and

WHEREAS, S.B. 1494 was recommended favorably by its first committee of reference, and H.B. 351 was recommended favorably by its first two committees of reference; and

WHEREAS, this Board supports S.B. 1494, H.B. 351, or similar legislation that would promote greater prescription drug pricing transparency,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact S.B. 1494, H.B. 351 or similar legislation that would promote prescription drug pricing transparency.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Senate President, House Speaker, Senator Bill Montford, Representative David Santiago and the Chair and the Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislative action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2018 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman
Audrey M. Edmonson, Vice Chairwoman
Bruno A. Barreiro
Jose "Pepe" Diaz
Barbara J. Jordan
Jean Monestime
Rebeca Sosa
Xavier L. Suarez
Daniella Levine Cava
Sally A. Heyman
Joe A. Martinez
Dennis C. Moss
Sen. Javier D. Souto


The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM 

Suzanne Villano-Charif