

MEMORANDUM

Agenda Item No. 11(A)(8)

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

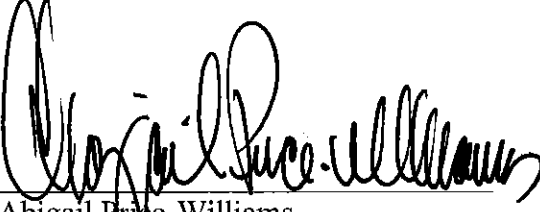
DATE: February 21, 2018

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

Resolution No. R-178-18

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

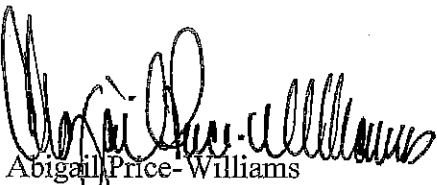


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(Revised)

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

DATE: February 21, 2018

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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. R-178-18

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.

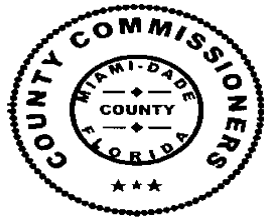
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Senate President, House Speaker, Senator Bill Montford, Representative David Santiago and the Chair and the Members of the Miami-Dade County State Legislative Delegation.

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 **Audrey M. Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM *gr*

Suzanne Villano-Charif