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Ron DeSantis

46th Governor of Florida



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Governor Ron DeSantis Unveils Comprehensive Legislation to Increase Big Pharma Transparency and Accountability and Lower Prescription Drug Prices

On January 12, 2023, in , by Staff

THE VILLAGES, Fla. — Today, Governor Ron DeSantis unveiled a legislative proposal to reign in unchecked Pharmacy Benefit Managers (PBMs) and drive transparency among prescription drug prices influenced by Big Pharma. This proposal furthers the Administration's efforts to lower prescription drug prices and reaffirms the state's commitment to assist Floridians in making more informed health care decisions. Many states have enacted comprehensive reforms to PBMs and it is time for Florida to take action to protect consumers and small businesses. To read the full proposal, click [here](#).

"These reforms will enhance transparency and reduce the influence of pharmacy middlemen, which will help consumers as well as our small pharmacies," said **Governor Ron DeSantis**. "I look forward to these reforms becoming law."

"The American people have been led to believe that drug costs are high so that pharmaceutical companies can continue to perform research," said **State Surgeon General Dr. Joseph Ladapo**. "But this claim ignores the fact that pharmaceutical research and innovation tends to begin in universities, mostly through NIH funding. That's our tax dollars. The American people deserve affordable prescriptions, not unnecessary mark-ups that continue to line the pockets of Big Pharma."

Consumer choice remains a top priority for the Governor when it comes to prescription drugs. Today's proposal includes key steps towards lowering prescription drug prices and increasing accountability, including: prohibiting spread pricing, prohibiting reimbursement clawbacks, and tackling issues with steering.

The proposal also increases the registration requirements of PBMs to ensure a more comprehensive evaluation is conducted prior to doing business here in Florida. Today, PBMs pay a mere five dollar registration fee, disclose limited details about themselves to the state and are subject to little to no accountability. The legislative proposal takes the following steps for accountability:

- Requires PBMs to disclose all organizations affiliated with the applicant, including any affiliated pharmacies or companies within their corporate umbrella.
- Requires PBMs to disclose any complaints or settlement agreements they've been party to prior to operating in Florida.
- Directs the Office of Insurance Regulation to take action against PBMs which violate state law and hold them accountable, as is consistent with all insurers.

Governor DeSantis is also holding manufacturers accountable by:

- Proposing a public disclosure requirement of all proposed drug price increases.

- Requiring all manufacturers to submit an annual report outlining and justifying any increases over the past year.

Right now, Floridians can get billed months after a prescription is filled. This proposal requires PBMs to work in accordance with a basic standard of due care, skill, and professionalism. This legislation makes PBMs provide information on complaints and settlements they have been involved in when applying for a state license, imposing accountability standards that have not existed before.

In July, [Governor DeSantis signed EO 22-164](#), directing all executive agencies to include provisions in all contracts to prohibit spread pricing and clawbacks and review all relationships with pharmacies, insurers, and manufacturers. All provisions of EO 22-164 are included in the legislative proposal and expanded to include the commercial market.

Nearly 9 in 10 adults 65 and older are currently taking prescription medicine, and one fourth say it is difficult to afford their prescription drugs — Florida is tackling this issue head on. Nearly 800 days ago, Florida submitted its landmark Canadian Drug Importation Program to the federal government. This program could save Floridians \$150 million annually, yet the U.S. Food and Drug Administration has [refused to act on this proposal](#). In response to federal government inaction, Florida is finding innovative ways to drive transparency and accountability among health care services.

Florida's prescription drug price transparency portal, [MyFloridaRX.com](#), offers a Prescription Drug Price Locator that combines prescription drug data to shed light on pharmaceutical costs among individuals covered by Medicare, Medicaid, and commercial insurance to ensure a uniform system of price transparency.

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