

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 319

2015 Regular Session

Simon

DRUGS/PRESCRIPTION: Provides relative to the dispensing of interchangeable biological products

Synopsis of Senate Amendments

1. Amend the definition of an "equivalent product" and remove the definition of "interchangeable".
2. Remove the requirement for an interchangeable biological products list to be maintained on the Louisiana Board of Pharmacy's web page.
3. Delete the enumerated authorized means of communication to allow the communication to be done by any means.
4. Clarify that no communication is required if there is no interchangeable or therapeutically equivalent biological product approved by FDA.
5. Provide that nothing in proposed law creates a cause of action against the prescriber and the dispensing pharmacist or his designee as a result of the required communication.
6. Provide that no communication will be required if the prescriber indicates dispense as written.
7. Delete provisions relative to licensure penalties.
8. Make technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law defines "biological product" and "equivalent drug product".

Proposed law requires the dispensing pharmacist or his designee, no later than five business days following the dispensing of a biological product, to communicate to the prescriber the specific product provided to the patient, including the name of the product and the manufacturer.

Proposed law authorizes the required communication to be done by any means.

Proposed law provides no communication is required if any of the following conditions exist:

- (1) There is no interchangeable or therapeutical equivalent biological product approved by the United States Food and Drug Administration (FDA) for the product prescribed.
- (2) The prescription is a refill not changed from the product dispensed on the prior filling of the prescription.
- (3) The prescriber indicates dispense as written.

Nothing in proposed law creates a cause of action against the prescriber and the dispensing pharmacist or his designee for a communication as required pursuant to proposed law.

(Amends R.S. 37:1164(16); adds R.S. 37:1164(58) and 1226.1)