

GREEN SHEET REDIGEST

HB 319

2015 Regular Session

Simon

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

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DIGEST

**Abstract:** Prohibits the dispensing of an interchangeable biological product if the prescription requires the named product and requires notification to the prescriber when an interchangeable biological product is dispensed.

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

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

Proposed law provides the required communication may be done by any means.

Proposed law provides no communication be required if there is no interchangeable or therapeutical equivalent biological product approved by the United States Food and Drug Administration for the product prescribed, or if the prescription is a refill not changed from the product dispensed on the prior filling of the prescription.

Proposed law provides nothing in proposed law will create a cause of action against the prescriber and the dispensing pharmacist or his designee for a communication as required pursuant to proposed law.

Proposed law provides no communication will be required pursuant to proposed law if the prescriber indicates dispense as written.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add a pharmacy benefit management system as a method of notification.
2. Provide that entry into one of the enumerated methods of communication is presumed to provide the required notice to the prescriber.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the engrossed bill

1. Amends the definition of an "equivalent product" and removes the definition of "interchangeable".
2. Removes the provision requiring interchangeable biological products list being maintained on the Louisiana Board of Pharmacy's web page.

3. Deletes certain requirements related to communication to the prescriber and replaces them with a requirement that the communication may be done by any means.
4. Adds therapeutically equivalent to the provision that no communication shall be required if there is no interchangeable biological product approved by the United States Food and Drug Administration for the product prescribed, or if the prescription is a refill not changed from the product dispensed on the prior filling of the prescription.
5. Provides that 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.
6. Provides that no communication will be required pursuant to proposed law if the prescriber indicates dispense as written.
7. Technical amendments.