UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX ● 320 STATE CAPITOL

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February 20, 2013

Mr. President:

The Health and Human Services Committee reports a favorable recommendation on **S.B. 78**, PHARMACY ACT AMENDMENTS, by Senator J. S. Adams, with the following amendments:

1. Page 17, Lines 501 through 509:

(7) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar product for a prescribed biological product shall **communicate the substitution to the purchaser. The interchangeable biosimilar product container shall be labeled with the name of the interchangeable biosimilar product dispensed, and the pharmacist, pharmacy intern, or pharmacy technician shall indicate on the file copy of the prescription both the name of the prescribed biological product and the name of the interchangeable biosimilar product dispensed in its place.** {~~:~~

~~(a) communicate the substitution to the purchaser;~~

~~(b) ensure that the interchangeable product container is labeled with the name and the manufacturer of the interchangeable biosimilar product dispensed; and~~

~~(c) indicate on the file copy of the prescription:~~

~~(i) the name and the manufacturer of the prescribed biological product; and~~

~~(ii) the name and the manufacturer of the interchangeable biosimilar product dispensed in place of the prescribed biological product.~~ }

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SB0078	S	SCRAMD

2. Page 17, Lines 510 through 516:

(8) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar product for a prescribed biological product shall:

(a) notify the prescriber in writing **, by fax, telephone, or electronic transmission** of the substitution, as soon as practicable, but not later than three business days after dispensing the interchangeable biosimilar product in place of the prescribed biological product; and

(b) include the name and manufacturer of the interchangeable biosimilar product substituted.

3. Page 17, Lines 517 through 521:

{~~(9) The pharmacist or pharmacy intern shall:~~

~~(a) retain a written record of the substitution for at least five years; and~~

~~(b) include the name and manufacturer of the interchangeable product substituted.~~}

{~~(10)~~} **(9)** A licensed medical practitioner who fails to specify that no substitution is authorized does not constitute evidence of negligence.

Respectfully,

Evan J. Vickers
Committee Chair

Voting: 3-1-1

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