

- 307 ~~—(A) final review of a prescription; or~~
308 ~~—(B)}~~ final review of a prescribed drug prepared for dispensing:
309 [(ii)] (iii) counseling regarding nonprescription drugs and dietary supplements unless
310 delegated by the supervising pharmacist; or
311 [(iii)] (iv) receiving new prescription drug orders when communicating
telephonically
312 or electronically unless the original information is recorded so the pharmacist may review
the
313 prescription drug order as transmitted.

The motion passed unanimously with Sens. Robles and Thatcher absent for the vote.

MOTION: Sen. Thatcher moved to amend S.B. 194, as follows:

1. *Page 1, Line 16:*

- 16 ▶ amends pharmacy technician licensure qualifications; =
▶ authorizes, under certain circumstances, the dispensing of one or more refills
at the time a legend drug prescription is dispensed;

2. *Page 2, Line 28:*

- 28 58-17b-612, as last amended by Laws of Utah 2010, Chapter 101 =

ENACTS:

58-17b-608.1, Utah Code Annotated 1953

3. *Page 14, Line 428:*

- 428 with the division.

= Section 4. Section 58-17b-608.1 is enacted to read:

58-17b-608.1. Refills of legend drug prescriptions.

If a prescription for a legend drug includes authorization for one or more refills,
a pharmacist or pharmacy intern may dispense one or more of the refills at the time
the drug is dispensed, if:

- (1) the drug is not a controlled substance;
(2) the prescription does not include "Dispense as Written," "DAW", or some
other notation having similar meaning;
(3) the total dosage units dispensed, including the units for both the
prescription and any refills, do not exceed a 180-day supply; and

(4) in the professional judgment of the pharmacist or pharmacy intern the refill, or refills, should be dispensed at the time the prescription is dispensed.

Renumber remaining sections accordingly.

The motion passed unanimously with Sens. Robles and Thatcher absent for the vote.

MOTION: Sen. Christensen moved to pass S.B.194, as amended, out favorably. The motion passed unanimously with Sen. Robles and Thatcher absent for the vote.

S.B. 206 Office of Medicaid Inspector General Amendments (A. Christensen)

Sen. Christensen presented and explained the bill.

Spoke in favor of the bill: Mr. Lee Wyckoff, Medicaid Inspector General

Spoke to the bill: Mr. Dave Guest, Utah Hospital Association

MOTION: Sen. Shiozawa moved to proceed to the next item on the agenda. The motion failed with Sens. Vickers, Christensen, and Thatcher voting in opposition.

MOTION: Sen. Christensen moved to pass S.B. 206 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

Sen. Shiozawa declared a conflict of interest.

S.B. 78 Pharmacy Act Amendments (J. S. Adams)

Sen. Adams presented and explained the bill.

Spoke in favor of the bill: Dr. Thomas Felix, Director, Global Regulatory Affairs, Amgen
Mr. Wynn Phillips, Retiree Safe
Ms. Michelle McOmber, Utah Medical Association

Spoke to the bill: Mr. Dave Davis, President, Retail Food Association
Mr. Lincoln Shurtz, Utah League of Cities and Towns
Ms. Barbara Boner, Associate Director, State & External Affairs, Novartis Pharmaceuticals
Greg Curtis, Contact Government Affairs Representative, Amgen
Paul Rogers, Generic Pharmaceutical Association
Frank Agnawelli, Express Scripts

MOTION: Sen. Thatcher moved to amend S.B. 78 as follows:

1. Page 17, Lines 501 through 509:

501 (7) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar
502 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. {
503 ~~(a) communicate the substitution to the purchaser;~~
504 ~~(b) ensure that the interchangeable product container is labeled with the name~~
~~and the~~
505 ~~manufacturer of the interchangeable biosimilar product dispensed; and~~
506 ~~(c) indicate on the file copy of the prescription:~~
507 ~~(i) the name and the manufacturer of the prescribed biological product; and~~
508 ~~(ii) the name and the manufacturer of the interchangeable biosimilar product~~
~~dispensed~~
509 ~~in place of the prescribed biological product.~~}

2. Page 17, Lines 510 through 516:

510 (8) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar
511 product for a prescribed biological product shall:
512 (a) notify the prescriber in writing , by fax, telephone, or electronic transmission
of the substitution, as soon as practicable, but not
513 later than three business days after dispensing the interchangeable biosimilar product in
place
514 of the prescribed biological product; and
515 (b) include the name and manufacturer of the interchangeable biosimilar product
516 substituted.

3. Page 17, Lines 517 through 521:

517 ~~{(9) The pharmacist or pharmacy intern shall:~~
518 ~~(a) retain a written record of the substitution for at least five years; and~~
519 ~~(b) include the name and manufacturer of the interchangeable product~~
~~substituted.}~~
520 ~~{(10)}~~ (9) A licensed medical practitioner who fails to specify that no
substitution is

521 authorized does not constitute evidence of negligence.

The motion passed unanimously with Sen. Robles absent for the vote.

MOTION: Sen. Robles moved to pass S.B. 78, as amended, out favorably. The motion passed with Sen. Vickers voting in opposition and Sen. Christensen absent for the vote.

MOTION: Sen. Robles moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen absent for the vote.

Chair Vickers adjourned the meeting at 5:25 p.m.

Minutes reported by Nancy A. Skidmore, Secretary.

Sen. Evan J. Vickers, Committee Chair