Approval of Minutes


S.B. 194 Pharmacy Practice Act Amendments (E. Vickers)

Sen. Vickers presented and explained the bill.

Spoke in favor of the bill: Ms. Missy Duke, Pharmacist, Utah Society of Health-System Pharmacists

Spoke to the bill: Ms. Michelle McOmber, Utah Medical Association

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

1. Page 10, Line 302 through Page 11, Line 313:
   302 (b) "Practice as a licensed pharmacy technician" does not include:
   303 (i) performing a drug utilization review, prescription drug order clarification from a prescriber, [\textbf{\{+\}} \textbf{final review of the prescription} \textbf{\{+\}} [\textbf{and prescribed drug prepared for dispensing}] \textbf{\{+\}}
   305 dispensing of the drug, or counseling a patient with respect to a prescription drug;
   306 (ii) except as permitted by rules made by the division in consultation with the board \textbf{\{+\}}
(A) final review of a prescription; or
(B) final review of a prescribed drug prepared for dispensing;
[(iii) (iii) counseling regarding nonprescription drugs and dietary supplements unless
 delegated by the supervising pharmacist; or
 [(iii) (iv) receiving new prescription drug orders when communicating
telephonically
 or electronically unless the original information is recorded so the pharmacist may review
 the
 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:
   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, Retire 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:**

   (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.

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 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) A licensed medical practitioner who fails to specify that no substitution is
The motion passed unanimously with Sen. Robles 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