

S.B. 78
PHARMACY ACT AMENDMENTS

Senator **Evan J. Vickers** proposes the following amendments:

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.

