



General Assembly

January Session, 2007

Amendment

LCO No. 7710

HB0720307710HDO

Offered by:
REP. STONE, 9th Dist.

To: Subst. House Bill No. 7203 File No. 337 Cal. No. 290

"AN ACT CONCERNING PRESCRIPTION DRUG SUBSTITUTIONS."

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- 1 In line 15 bracket "and"
- 2 In line 23 after "body" insert the following:
- 3 "(5) "Epilepsy" means a neurological condition characterized by
4 recurrent seizures;
- 5 (6) "Seizures" means a disturbance in the electrical activity of the
6 brain; and
- 7 (7) "Antiepileptic drug" means a drug prescribed for the treatment
8 of epilepsy or a drug used to prevent seizures."
- 9 In line 34, strike the opening and closing brackets before and after
10 "The" and strike "Unless instructed otherwise"
- 11 In line 35, strike "by the patient or a representative of the patient,
12 the"

13 In line 37, strike opening and closing brackets before and after "the",
14 strike "a", strike ", in writing," and strike the opening bracket before
15 "earliest"

16 In line 38 strike closing bracket after "reasonable"

17 In line 66 strike "IF THE PHARMACY INTENDS"

18 Strike line 67 in its entirety

19 In line 68, strike "WRITTEN NOTICE OF THE SUBSTITUTION TO
20 YOU."

21 In line 91, insert opening bracket before "(i)"

22 In line 93, insert closing bracket after "section." and insert the
23 following:

24 "(i) Upon the initial filling or renewal of a prescription, if the patient
25 or a representative of the patient or the patient's practitioner informs
26 the pharmacy, in writing, that the prescription is used for the
27 treatment of epilepsy, a pharmacist shall not substitute an antiepileptic
28 drug or formulation of an antiepileptic drug, brand name or
29 manufacturer of a generic name using the National Drug Code system
30 for the treatment of epilepsy without consent of the patient's
31 practitioner. For purposes of this section, "pharmacy" means a place of
32 business where drugs and devices may be sold at retail and for which
33 a pharmacy license has been issued to an applicant pursuant to section
34 20-594, including hospital based pharmacies used for employees and
35 outpatient care and mail order pharmacies licensed by the state to
36 distribute in state, except long term care facilities and pharmacies that
37 provide prescriptions for inpatient hospitals.

38 (j) The pharmacist shall notify the patient's practitioner via facsimile
39 that a substitution has occurred.

40 (k) If the patient, the patient's representative or the patient's
41 practitioner refuses the substitution the pharmacist shall return the

42 prescription to the patient or to such patient's representative and such
43 prescription may be filled at another pharmacy."