



General Assembly

Amendment

February Session, 2008

LCO No. 4875

SB0065404875SD0

Offered by:
SEN. HANDLEY, 4th Dist.

To: Subst. Senate Bill No. 654

File No. 431

Cal. No. 280

**"AN ACT CONCERNING THE AVAILABILITY OF PRESCRIBED
ANTIEPILEPTIC DRUGS."**

1 Strike lines 96 to 114, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "(j) Upon the initial filling or renewal of a prescription that contains
4 a statistical information code based upon the most recent edition of the
5 International Classification of Diseases, if the patient or a
6 representative of the patient or the patient's practitioner informs the
7 pharmacy, in writing, that the prescribed drug is used for the
8 treatment of epilepsy, a pharmacist shall not: (1) Substitute for the
9 prescribed drug an antiepileptic drug or formulation of an
10 antiepileptic drug, irrespective of whether the antiepileptic drug is a
11 brand name drug or a generic drug name, and (2) fill the prescription
12 by using a new drug manufacturer or distributor of the prescribed
13 drug, unless the pharmacist provides prior notice of such substitution
14 or use of a new drug manufacturer or distributor to, and obtains the
15 written consent of, the patient's practitioner. For purposes of obtaining

16 the consent of the patient's practitioner required for purposes of this
17 subsection, a pharmacist shall notify the patient's practitioner via
18 facsimile transmission. If the patient, the patient's representative or the
19 patient's practitioner does not provide the necessary consent, the
20 pharmacist shall fill the prescription without such substitution or use
21 of a new drug manufacturer or distributor or return the prescription to
22 the patient or to such patient's representative for filling at another
23 pharmacy. For purposes of this subsection, "pharmacy" means a place
24 of business where drugs and devices may be sold at retail and for
25 which a pharmacy license was issued to an applicant pursuant to
26 section 20-594, including a hospital-based pharmacy when such
27 pharmacy is filling prescriptions for employees and outpatient care,
28 and a mail order pharmacy licensed by this state to distribute in this
29 state. "Pharmacy" does not include a pharmacy serving patients in a
30 long-term care facility, other institutional facility or a pharmacy that
31 provides prescriptions for inpatient hospitals."