AN ACT

Amending the act of November 24, 1976 (P.L.1163, No.259), entitled "An act relating to the prescribing and dispensing of generic equivalent drugs," providing for epilepsy prescription products.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2 of the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, is amended by adding definitions to read:

Section 2. As used in this act:

"Antiepileptic drug" means:

(1) any drug prescribed for the treatment of epilepsy; or
(2) a drug used to treat or prevent seizures.

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"Epilepsy" means a neurological condition characterized by recurrent seizures.
"Interchange" means the substitution of one version of the same antiepileptic therapeutic product, including a generic product for the brand product, a brand product for the generic product, a generic product by one manufacturer for a generic product by different manufacturer, a different formulation of the prescribed antiepileptic drug or a different antiepileptic therapeutic drug product for the antiepileptic product originally prescribed.

"Seizure" means an acute clinical change secondary to a brief disturbance in the electrical activity of the brain.

Section 2. Section 3 of the act is amended by adding a subsection to read:

Section 3. * * *

(g) A pharmacist may not interchange an antiepileptic drug or formulation of an antiepileptic drug, brand or generic for the treatment of epileptic seizures without prior notification of and the signed, informed consent of such interchange from the prescribing physician and patient, or patient's parent, legal guardian or spouse.

Section 3. This act shall take effect in 60 days.