AN ACT

1 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.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:
7 Section 1. Section 2 of the act of November 24, 1976
8 (P.L.1163, No.259), referred to as the Generic Equivalent Drug
9 Law, is amended by adding definitions to read:

10 Section 2. As used in this act:
11 "Anti-epileptic drug" means:
12 (1) any drug prescribed for the treatment of epilepsy; or
13 (2) a drug used to treat or prevent seizures.
14 * * *
15 "Epilepsy" means a neurological condition characterized by
16 recurrent seizures.
17 * * *
18 "Interchange" means the substitution of one version of the
same anti-epileptic therapeutic product, including a generic version for the prescribed brand, a brand version for the prescribed generic version, a generic version by one manufacturer for a generic version by different manufacturer, a different formulation of the prescribed anti-epileptic drug or a different anti-epileptic therapeutic drug product for the anti-epileptic product originally prescribed.

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"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 anti-epileptic drug or formulation of an anti-epileptic 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.