



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

February 14, 2012

TO: All House Members

FROM: Representative Cutler
Representative Mann

RE: Co-sponsorship-Amending the Generic Equivalent Drug Law

In the near future, we will be introducing legislation to amend the Generic Equivalent Drug Law regarding bio-similar products.

Generic drugs and bio-similar medications have very different chemical make-ups. As a result, the laws currently applicable to generics cannot be applied uniformly to bio-similar products. Generic drugs have identical active substances as their brand counterparts, while bio-similars are only comparable and are not always "scientifically appropriate" for substitution.

Currently Pennsylvania law permits the automatic substitution of a less expensive generic drug for a brand name drug unless the physician indicates the brand is medically necessary. This legislation will create a new section pertaining to bio-similar products. When dealing with biologics, this substitution may not always be the best course of treatment for a patient. Substitutions should only be permitted if certain minimal thresholds are met including a decision by the United States Food and Drug Administration that the prescribed product and the bio-similar products are interchangeable.

If you would like to co-sponsor this legislation, please contact Jennifer at jwilliam@pahousegop.com or 717-783-6424

BC/jjw