

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1111 Session of
1989

INTRODUCED BY GREENWOOD, DAWIDA, PORTERFIELD, SALVATORE,
HELFRICK, LEWIS AND ANDREZESKI, JUNE 26, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 30, 1990

AN ACT

1 Amending the act of November 24, 1976 (P.L.1163, No.259),
2 entitled "An act relating to the prescribing and dispensing
3 of generic equivalent drugs," further providing for the
4 addition and deletion of generic drugs.~~from the formulary.~~ <—

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

7 ~~Section 1. Section 3(a) of the act of November 24, 1976~~ <—
8 ~~(P.L.1163, No.259), referred to as the Generic Equivalent Drug~~
9 ~~Law, amended December 15, 1988 (P.L.1257, No.154), is amended to~~
10 ~~read:~~

11 ~~Section 3. (a) Whenever a pharmacist receives a~~
12 ~~prescription for a brand name drug he shall, unless requested~~
13 ~~otherwise by the purchaser, substitute a less expensive~~
14 ~~generically equivalent drug product listed in the formulary of~~
15 ~~generic and brand name drug products developed by the Department~~
16 ~~of Health as provided in section 5(b) and (c) unless the~~
17 ~~prescriber indicates otherwise. The bottom of every prescription~~

1 ~~blank shall be imprinted with the words "substitution~~
2 ~~permissible" and shall contain one signature line for the~~
3 ~~physician's or other authorized prescriber's signature. The~~
4 ~~prescriber's signature shall validate the prescription and,~~
5 ~~unless the prescriber handwrites "brand necessary" or "brand~~
6 ~~medically necessary," shall designate approval of substitution~~
7 ~~of a drug by a pharmacist pursuant to this act. Imprinted~~
8 ~~conspicuously on the prescription blanks shall be the words: "In~~
9 ~~order for a brand name product to be dispensed, the prescriber~~
10 ~~must handwrite 'brand necessary' or 'brand medically necessary'~~
11 ~~in the space below." All information printed on the prescription~~
12 ~~blank shall be in eight point uppercase print. In the case of an~~
13 ~~oral prescription, there will be no substitution if the~~
14 ~~prescriber expressly indicates to the pharmacist that the brand~~
15 ~~name drug is necessary and substitution is not allowed.~~
16 ~~Substitution of a less expensive generically equivalent drug~~
17 ~~product shall be contingent on whether the pharmacy has the~~
18 ~~brand name or generically equivalent drug in stock.~~

19 ~~* * *~~

20 ~~Section 2. Section 5 of the act is amended to read:~~

21 ~~Section 5. (a) The Department of Health shall have the~~
22 ~~power and its duty shall be to:~~

23 ~~(1) Administer and enforce the provisions of this act.~~

24 ~~(2) Adopt necessary regulations consistent with this act.~~

25 ~~(3) Publicize the provisions of this act.~~

26 ~~(4) Distribute in cooperation with the Pennsylvania Board of~~
27 ~~Pharmacy periodically an updated formulary of generically~~
28 ~~equivalent drug products to all pharmacies in the Commonwealth.~~

29 ~~(b) The Secretary of Health in cooperation with the~~
30 ~~Pennsylvania Drug, Device and Cosmetic Board shall within 180~~

1 ~~days of the effective date of this act establish a formulary of~~
2 ~~generically equivalent drugs and the name of their~~
3 ~~manufacturers. In compiling the list of generic and brand name~~
4 ~~drug products for inclusion in the formulary, the secretary may~~
5 ~~adopt in whole or in part formularies adopted by the United~~
6 ~~States Department of Health, Education and Welfare for their~~
7 ~~maximum allowable cost program for drug reimbursements under~~
8 ~~Title XVIII and Title XIX of the Social Security Act. In the~~
9 ~~event of an emergency, as determined by the secretary to affect~~
10 ~~the health or safety of the public, the secretary may remove a~~
11 ~~drug product from the list without public hearings. If the~~
12 ~~formulary for the maximum allowable cost program is adopted by~~
13 ~~the secretary, formal hearings as required in [the act of June~~
14 ~~4, 1945 (P.L.1388, No.422), known as the "Administrative Agency~~
15 ~~Law,"] Title 2 of the Pennsylvania Consolidated Statutes~~
16 ~~(relating to administrative law and procedure) may be waived~~
17 ~~otherwise the inclusions of all drugs in the formulary shall be~~
18 ~~in compliance with the provisions of the [Administrative Agency~~
19 ~~Law] Title 2 of the Pennsylvania Consolidated Statutes. The~~
20 ~~formulary may be added to or deleted from upon the motion of the~~
21 ~~secretary or on the petition of any interested party [however].~~
22 ~~However, before such addition or deletion the secretary shall~~
23 ~~[request] receive the advice in writing from the Drug, Device~~
24 ~~and Cosmetic Board whether a drug should be added or deleted.~~
25 ~~[Such advice shall be rendered to the secretary within a~~
26 ~~reasonable time. After considering the available facts, the~~
27 ~~secretary shall make a finding with respect to such drug and may~~
28 ~~issue a regulation on its substitution for a period of one year.~~
29 ~~The status of such drugs as well as the formulary shall be~~
30 ~~reviewed annually by the secretary.]~~

~~(c) A Pennsylvania Generic Drug Law Formulary Application shall remain active for one year from the date of its notarization. The Office of Drugs, Devices and Cosmetics shall accept applications prior to a manufacturer receiving final United States Food and Drug Administration (FDA) approval. Within 14 days of receiving a complete application and information, the representative of the Office of Drugs, Devices and Cosmetics shall forward any pertinent clinical information or bioequivalence studies to a consultant pharmacologist designated by the Drug, Device and Cosmetic Board for review. The consultant pharmacologist shall have a total of 60 days to review any clinical information after he has received all of the data needed for review from the drug manufacturer. The consultant pharmacologist shall then make his recommendation in writing to the Technical Advisory Committee (TAC). After at least 30 days notice, but no longer than 60 days notice, from the time the TAC receives the recommendation on a drug from the pharmacologist, a public hearing shall be held by the TAC, or by personnel of the department designated by the secretary, to hear testimony from all parties affected by the possible inclusion of a generic drug on the drug formulary. Such notice shall be mailed to every drug manufacturer that is authorized to do business in this Commonwealth and to all persons who have made a timely request of the TAC for advance notice of its public hearings and shall be published in the Pennsylvania Bulletin. The TAC shall meet quarterly, and at that time shall review the recommendations of the consultant pharmacologist and the information provided at the public hearing and make its recommendation to the Drug, Device and Cosmetic Board within ten working days after the quarterly meeting. The board shall have~~

~~14 days to make its recommendation to the secretary. Any decision to reject a drug for inclusion on the formulary must be accompanied by a written explanation of the basis for the decision. A manufacturer may not resubmit an application after it has been rejected unless additional information is included which responds to the written explanation of the basis for rejection of the original application. After considering the available facts, the secretary shall make a finding with respect to such drug and shall issue a determination on its substitution for a period of one year, within 14 working days. The date of this determination shall be the date such drug shall be legally substitutable in this Commonwealth. The department shall issue a quarterly formulary update. The status of such drugs as well as the formulary shall be reviewed annually by the secretary.~~

~~(d) For the purposes of this act, the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, the act of October 15, 1980 (P.L.950, No.164), known as the "Commonwealth Attorneys Act," and the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act," the formulary or any addition or deletion to the formulary shall not be considered a rule or regulation.~~

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

SECTION 1. THE DEFINITION OF "GENERICALLY EQUIVALENT DRUG" IN SECTION 2 OF THE ACT OF NOVEMBER 24, 1976 (P.L.1163, NO.259), REFERRED TO AS THE GENERIC EQUIVALENT DRUG LAW, IS AMENDED TO READ:

SECTION 2. AS USED IN THIS ACT:

* * *

"GENERICALLY EQUIVALENT DRUG" MEANS A DRUG PRODUCT [HAVING THE SAME GENERIC NAME, DOSAGE FORM AND LABELED POTENCY, MEETING

1 STANDARDS OF THE UNITED STATES PHARMACOPOEIA OR NATIONAL
2 FORMULARY OR THEIR SUCCESSORS, IF APPLICABLE, AND NOT FOUND IN
3 VIOLATION OF THE REQUIREMENTS OF THE UNITED STATES FOOD AND DRUG
4 ADMINISTRATION OR THE PENNSYLVANIA DEPARTMENT OF HEALTH.] THAT
5 THE COMMISSIONER OF FOOD AND DRUGS OF THE UNITED STATES FOOD AND
6 DRUG ADMINISTRATION HAS APPROVED AS SAFE AND EFFECTIVE AND HAS
7 DETERMINED TO BE THERAPEUTICALLY EQUIVALENT, AS LISTED IN "THE
8 APPROVED DRUG PRODUCTS WITH THERAPEUTIC EQUIVALENCE
9 EVALUATIONS," (FOOD AND DRUG ADMINISTRATION "ORANGE BOOK"),
10 PROVIDED, HOWEVER, THAT DRUG PRODUCTS FOUND BY THE UNITED STATES
11 FOOD AND DRUG ADMINISTRATION TO HAVE A NARROW THERAPEUTIC RANGE
12 SHALL NOT BE CONSIDERED GENERICALLY EQUIVALENT FOR THE PURPOSES
13 OF THIS ACT.

14 * * *

15 SECTION 2. SECTION 3(A) AND (F) OF THE ACT, AMENDED DECEMBER
16 15, 1988 (P.L.1257, NO.154), ARE AMENDED TO READ:

17 SECTION 3. (A) WHENEVER A PHARMACIST RECEIVES A
18 PRESCRIPTION FOR A BRAND NAME DRUG [HE SHALL, UNLESS REQUESTED
19 OTHERWISE BY THE PURCHASER, SUBSTITUTE A LESS EXPENSIVE
20 GENERICALLY EQUIVALENT DRUG PRODUCT LISTED IN THE FORMULARY OF
21 GENERIC AND BRAND NAME DRUG PRODUCTS DEVELOPED BY THE DEPARTMENT
22 OF HEALTH AS PROVIDED IN SECTION 5(B) UNLESS THE PRESCRIBER
23 INDICATES OTHERWISE.] THE PHARMACIST SHALL SUBSTITUTE A LESS
24 EXPENSIVE GENERICALLY EQUIVALENT DRUG UNLESS REQUESTED OTHERWISE
25 BY THE PURCHASER OR INDICATED OTHERWISE BY THE PRESCRIBER. THE
26 BOTTOM OF EVERY PRESCRIPTION BLANK SHALL BE IMPRINTED WITH THE
27 WORDS "SUBSTITUTION PERMISSIBLE" AND SHALL CONTAIN ONE SIGNATURE
28 LINE FOR THE PHYSICIAN'S OR OTHER AUTHORIZED PRESCRIBER'S
29 SIGNATURE. THE PRESCRIBER'S SIGNATURE SHALL VALIDATE THE
30 PRESCRIPTION AND, UNLESS THE PRESCRIBER HANDWRITES "BRAND

1 NECESSARY" OR "BRAND MEDICALLY NECESSARY," SHALL DESIGNATE
2 APPROVAL OF SUBSTITUTION OF A DRUG BY A PHARMACIST PURSUANT TO
3 THIS ACT. IMPRINTED CONSPICUOUSLY ON THE PRESCRIPTION BLANKS
4 SHALL BE THE WORDS: "IN ORDER FOR A BRAND NAME PRODUCT TO BE
5 DISPENSED, THE PRESCRIBER MUST HANDWRITE 'BRAND NECESSARY' OR
6 'BRAND MEDICALLY NECESSARY' IN THE SPACE BELOW." ALL INFORMATION
7 PRINTED ON THE PRESCRIPTION BLANK SHALL BE IN EIGHT-POINT
8 UPPERCASE PRINT. IN THE CASE OF AN ORAL PRESCRIPTION, THERE WILL
9 BE NO SUBSTITUTION IF THE PRESCRIBER EXPRESSLY INDICATES TO THE
10 PHARMACIST THAT THE BRAND NAME DRUG IS NECESSARY AND
11 SUBSTITUTION IS NOT ALLOWED. SUBSTITUTION OF A LESS EXPENSIVE
12 GENERICALLY EQUIVALENT DRUG [PRODUCT] SHALL BE CONTINGENT ON
13 WHETHER THE PHARMACY HAS THE BRAND NAME OR GENERICALLY
14 EQUIVALENT DRUG IN STOCK.

15 * * *

16 (F) NO PHARMACIST SHALL SUBSTITUTE A GENERICALLY EQUIVALENT
17 DRUG [PRODUCT FOR A PRESCRIBED BRAND NAME DRUG PRODUCT IF THE
18 BRAND NAME DRUG PRODUCT OR THE GENERIC DRUG TYPE IS NOT INCLUDED
19 IN THE FORMULARY DEVELOPED BY THE DEPARTMENT OF HEALTH IN
20 ACCORDANCE WITH THE PROVISIONS OF SECTION 5(B).] FOR A
21 PRESCRIBED BRAND NAME DRUG UNLESS THE GENERICALLY EQUIVALENT
22 DRUG MEETS THE DEFINITION OF GENERICALLY EQUIVALENT DRUG SET
23 FORTH IN THIS ACT AND THE SECRETARY HAS NOT PROHIBITED THE USE
24 OF THE DRUG IN ACCORDANCE WITH SECTION 5.

25 SECTION 3. SECTIONS 4(B) AND 5 OF THE ACT ARE AMENDED TO
26 READ:

27 SECTION 4. * * *

28 (B) EVERY PHARMACY SHALL POST IN A CONSPICUOUS PLACE, EASILY
29 ACCESSIBLE TO THE GENERAL PUBLIC, A LIST OF COMMONLY USED
30 GENERICALLY EQUIVALENT DRUGS [FROM THE FORMULARY] CONTAINING THE

1 GENERIC NAMES AND BRAND NAMES WHERE APPLICABLE.

2 * * *

3 SECTION 5. (A) THE DEPARTMENT OF HEALTH SHALL HAVE THE
4 POWER AND ITS DUTY SHALL BE TO:

5 (1) ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ACT.

6 (2) ADOPT NECESSARY REGULATIONS CONSISTENT WITH THIS ACT.

7 (3) PUBLICIZE THE PROVISIONS OF THIS ACT.

8 (4) [DISTRIBUTE IN COOPERATION WITH THE PENNSYLVANIA BOARD
9 OF PHARMACY PERIODICALLY AN UPDATED FORMULARY OF GENERICALLY
10 EQUIVALENT DRUG PRODUCTS TO ALL PHARMACIES IN THE COMMONWEALTH.]
11 PUBLISH BY NOTICE IN THE PENNSYLVANIA BULLETIN THE ADDITION OR
12 DELETION OF GENERICALLY EQUIVALENT DRUGS AND ANY DETERMINATION
13 BY THE SECRETARY TO NOT RECOGNIZE A GENERICALLY EQUIVALENT DRUG
14 IN ACCORDANCE WITH SECTION 5(B). THE DEPARTMENT SHALL ALSO
15 PROVIDE NOTICE THAT A COMPLETE LIST OF GENERICALLY EQUIVALENT
16 DRUGS MAY BE OBTAINED FROM THE UNITED STATES FOOD AND DRUG
17 ADMINISTRATION. THIS NOTICE SHALL BE PUBLISHED AT LEAST EVERY
18 THREE MONTHS.

19 (B) [THE SECRETARY OF HEALTH IN COOPERATION WITH THE
20 PENNSYLVANIA DRUG, DEVICE AND COSMETIC BOARD SHALL WITHIN 180
21 DAYS OF THE EFFECTIVE DATE OF THIS ACT ESTABLISH A FORMULARY OF
22 GENERICALLY EQUIVALENT DRUGS AND THE NAME OF THEIR
23 MANUFACTURERS. IN COMPILING THE LIST OF GENERIC AND BRAND NAME
24 DRUG PRODUCTS FOR INCLUSION IN THE FORMULARY, THE SECRETARY MAY
25 ADOPT IN WHOLE OR IN PART FORMULARIES ADOPTED BY THE UNITED
26 STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE FOR THEIR
27 MAXIMUM ALLOWABLE COST PROGRAM FOR DRUG REIMBURSEMENTS UNDER
28 TITLE XVIII AND TITLE XIX OF THE SOCIAL SECURITY ACT. IN THE
29 EVENT OF AN EMERGENCY, AS DETERMINED BY THE SECRETARY TO AFFECT
30 THE HEALTH OR SAFETY OF THE PUBLIC, THE SECRETARY MAY REMOVE A

1 DRUG PRODUCT FROM THE LIST WITHOUT PUBLIC HEARINGS. IF THE
2 FORMULARY FOR THE MAXIMUM ALLOWABLE COST PROGRAM IS ADOPTED BY
3 THE SECRETARY, FORMAL HEARINGS AS REQUIRED IN THE ACT OF JUNE 4,
4 1945 (P.L.1388, NO.422), KNOWN AS THE "ADMINISTRATIVE AGENCY
5 LAW," MAY BE WAIVED OTHERWISE THE INCLUSIONS OF ALL DRUGS IN THE
6 FORMULARY SHALL BE IN COMPLIANCE WITH THE PROVISIONS OF THE
7 ADMINISTRATIVE AGENCY LAW. THE FORMULARY MAY BE ADDED TO OR
8 DELETED FROM UPON THE MOTION OF THE SECRETARY OR ON THE PETITION
9 OF ANY INTERESTED PARTY HOWEVER BEFORE SUCH ADDITION OR DELETION
10 THE SECRETARY SHALL REQUEST THE ADVICE IN WRITING FROM THE DRUG,
11 DEVICE AND COSMETIC BOARD WHETHER A DRUG SHOULD BE ADDED OR
12 DELETED. SUCH ADVICE SHALL BE RENDERED TO THE SECRETARY WITHIN A
13 REASONABLE TIME. AFTER CONSIDERING THE AVAILABLE FACTS, THE
14 SECRETARY SHALL MAKE A FINDING WITH RESPECT TO SUCH DRUG AND MAY
15 ISSUE A REGULATION ON ITS SUBSTITUTION FOR A PERIOD OF ONE YEAR.
16 THE STATUS OF SUCH DRUGS AS WELL AS THE FORMULARY SHALL BE
17 REVIEWED ANNUALLY BY THE SECRETARY.] THE SECRETARY, WITH THE
18 ADVICE OF THE PENNSYLVANIA DRUG, DEVICE AND COSMETIC BOARD, MAY
19 DETERMINE THAT A DRUG SHALL NOT BE RECOGNIZED AS A GENERICALLY
20 EQUIVALENT DRUG FOR PURPOSES OF SUBSTITUTION IN PENNSYLVANIA AND
21 THE TIME AFTER WHICH RECOGNITION SHALL BE RESTORED.

22 (C) WHENEVER THE UNITED STATES FOOD AND DRUG ADMINISTRATION
23 HAS DETERMINED A DRUG PRODUCT AS HAVING A NARROW THERAPEUTIC
24 RANGE, THE MANUFACTURER MAY SUBMIT AN APPLICATION FOR REVIEW OF
25 GENERIC EQUIVALENCE WITH THE OFFICE OF DRUGS, DEVICES AND
26 COSMETICS. WITHIN 14 DAYS OF RECEIVING A COMPLETE APPLICATION
27 AND INFORMATION, THE REPRESENTATIVE OF THE OFFICE OF DRUGS,
28 DEVICES AND COSMETICS SHALL FORWARD ANY PERTINENT CLINICAL
29 INFORMATION OR BIOEQUIVALENCE STUDIES TO A CONSULTANT
30 PHARMACOLOGIST DESIGNATED BY THE PENNSYLVANIA DRUG, DEVICE AND

1 COSMETIC BOARD FOR REVIEW. THE CONSULTANT PHARMACOLOGIST SHALL
2 HAVE A TOTAL OF 60 DAYS TO REVIEW ANY CLINICAL INFORMATION AFTER
3 HE HAS RECEIVED ALL OF THE DATA NEEDED FOR REVIEW FROM THE DRUG
4 MANUFACTURER. THE CONSULTANT PHARMACOLOGIST SHALL THEN MAKE HIS
5 RECOMMENDATION IN WRITING TO THE TECHNICAL ADVISORY COMMITTEE
6 (TAC). AFTER AT LEAST 30 DAYS NOTICE, BUT NO LONGER THAN 60 DAYS
7 NOTICE, FROM THE TIME THE TAC RECEIVES THE RECOMMENDATION ON A
8 DRUG FROM THE PHARMACOLOGIST, A PUBLIC HEARING SHALL BE HELD BY
9 THE TAC, OR BY PERSONNEL OF THE DEPARTMENT DESIGNATED BY THE
10 SECRETARY, TO HEAR TESTIMONY FROM ALL PARTIES AFFECTED BY THE
11 POSSIBLE INCLUSION OF SUCH A DRUG AS A GENERICALLY EQUIVALENT
12 DRUG FOR PURPOSES OF SUBSTITUTION IN PENNSYLVANIA. SUCH NOTICE
13 SHALL BE MAILED TO EVERY DRUG MANUFACTURER THAT IS AUTHORIZED TO
14 DO BUSINESS IN THIS COMMONWEALTH AND TO ALL PERSONS WHO HAVE
15 MADE A TIMELY REQUEST OF THE TAC FOR ADVANCE NOTICE OF ITS
16 PUBLIC HEARINGS AND SHALL BE PUBLISHED IN THE PENNSYLVANIA
17 BULLETIN. THE TAC SHALL MEET QUARTERLY, AND AT THAT TIME SHALL
18 REVIEW THE RECOMMENDATIONS OF THE CONSULTANT PHARMACOLOGIST AND
19 THE INFORMATION PROVIDED AT THE PUBLIC HEARING AND MAKE ITS
20 RECOMMENDATION TO THE DRUG, DEVICE AND COSMETIC BOARD WITHIN TEN
21 WORKING DAYS AFTER THE QUARTERLY MEETING. THE BOARD SHALL HAVE
22 14 DAYS TO MAKE ITS RECOMMENDATION TO THE SECRETARY. ANY
23 DECISION TO REJECT OR TO RECOGNIZE SUCH A DRUG AS GENERICALLY
24 EQUIVALENT FOR PURPOSES OF SUBSTITUTION IN PENNSYLVANIA MUST BE
25 ACCOMPANIED BY A WRITTEN EXPLANATION OF THE BASIS FOR THE
26 DECISION. A MANUFACTURER MAY NOT RESUBMIT AN APPLICATION AFTER
27 IT HAS BEEN REJECTED UNLESS ADDITIONAL INFORMATION IS INCLUDED
28 WHICH RESPONDS TO THE WRITTEN EXPLANATION OF THE BASIS FOR
29 REJECTION OF THE ORIGINAL APPLICATION. AFTER CONSIDERING THE
30 AVAILABLE FACTS, THE SECRETARY SHALL MAKE A FINDING WITH RESPECT

1 TO SUCH DRUG AND SHALL ISSUE A DETERMINATION ON ITS SUBSTITUTION
2 FOR A PERIOD OF ONE YEAR, WITHIN 14 WORKING DAYS. THE DATE OF
3 THIS DETERMINATION SHALL BE THE DATE SUCH DRUG SHALL BE LEGALLY
4 SUBSTITUTABLE IN THIS COMMONWEALTH. THE DEPARTMENT SHALL ISSUE A
5 QUARTERLY UPDATE. THE STATUS OF SUCH DRUGS SHALL BE REVIEWED
6 ANNUALLY BY THE SECRETARY.

7 (D) ANY DRUG PRODUCT, HAVING BEEN PREVIOUSLY INCLUDED IN THE
8 PENNSYLVANIA GENERIC DRUG FORMULARY, WHICH THE UNITED STATES
9 FOOD AND DRUG ADMINISTRATION HAS DETERMINED AS HAVING A NARROW
10 THERAPEUTIC RANGE SHALL BE CONSIDERED GENERICALLY EQUIVALENT FOR
11 THE PURPOSES OF THIS ACT UNLESS THE SECRETARY, WITH THE ADVICE
12 OF THE PENNSYLVANIA DRUG, DEVICE AND COSMETIC BOARD, MAKES AN
13 INDEPENDENT DETERMINATION THAT SUCH A PRODUCT IS NOT GENERICALLY
14 EQUIVALENT IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (C).

15 SECTION 4. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.