

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 119 Session of
2007

INTRODUCED BY COSTA, FONTANA, TARTAGLIONE, ORIE, STOUT,
RAFFERTY, MUSTO, O'PAKE, WASHINGTON AND LAVALLE,
MARCH 7, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 7, 2007

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," providing for epilepsy
4 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

1 same anti-epileptic therapeutic product, including a generic
2 version for the prescribed brand, a brand version for the
3 prescribed generic version, a generic version by one
4 manufacturer for a generic version by different manufacturer, a
5 different formulation of the prescribed anti-epileptic drug or a
6 different anti-epileptic therapeutic drug product for the anti-
7 epileptic product originally prescribed.

8 * * *

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

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

13 Section 3. * * *

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

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