124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document **No. 1672**

S.P. 644 In Senate, January 6, 2010

An Act To Require a Pharmacist To Provide Prior Notification to and Obtain Consent from the Prescribing Physician before Changing from One Formulation or Manufacturer of an Antiepileptic Drug to Another

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BOWMAN of York.
Cosponsored by Representative WHEELER of Kittery.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §13781-A is enacted to read:

§13781-A. Substitution for antiepileptic drug

A pharmacist shall notify and receive consent from the prescriber before substituting one manufacturer's antiepileptic drug for another manufacturer's antiepileptic drug for a patient with epilepsy. For the purpose of this section, "substituting" means dispensing a different manufacturer's antiepileptic drug instead of the antiepileptic drug with which the patient is currently receiving therapy for epilepsy and includes the substitution of a generic version for a brand version, a brand version for a generic version and a generic version for a generic version from a different manufacturer.

SUMMARY

This bill requires a pharmacist to notify and get consent from the prescriber of an antiepileptic drug for a patient with epilepsy if the drug is switched from one formulation or manufacturer to another.