Introduced: 2/17/86
Referred: Labor & Commerce
Health, Education & Social
Services and Finance

1 IN THE HOUSE BY GRUENBERG

2 HOUSE BILL NO. 641

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to generic drugs, pharmaceuticals,
7 and the Board of Pharmacy; repealing the marijuana
8 therapeutic research program; and providing for an
9 effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 08.03.010(c)(4) is amended to read:

12 (4) Board of Pharmacy (AS 08.80.010) -- June 30, 1989
13 [1985].

14 * Sec. 2. AS 08.80.295(a) is amended to read:

15 (a) Unless the prescriber expressly states that a prescription
16 is to be dispensed only as written [EXCEPT AS LIMITED BY (b) AND (c)
17 OF THIS SECTION, WITH THE CONSENT OF THE PURCHASER], the pharmacist
18 may substitute a drug product with the same generic name in the same
19 strength, quantity, dose and dosage form as the prescription, provided
20 the substitute drug [PRESCRIBED DRUG WHICH] is, in the pharmacist's
21 professional opinion, therapeutically equivalent and meets the stan-
22 dards of (g) of this section. The [UPON SUBSTITUTION THE] pharmacist
23 shall notify the purchaser [AND THE PERSON WHO PRESCRIBED THE DRUG] of
24 the substitution, and shall record on the prescription and keep a
25 record of the name and manufacturer of the drug substituted.

26 * Sec. 3. AS 08.80.295 is amended by adding new subsections to read:

27 (i) A pharmacist who substitutes a drug in compliance with this
28 section incurs no greater liability in filling the prescription by
29 dispensing the equivalent drug product than would be incurred in

1 filling the prescription by dispensing the prescribed brand name drug.
2 (j) Every pharmacy shall post a sign in a location easily seen
3 by patrons at the counter where prescriptions are dispensed stating
4 that "Under Alaska law a therapeutically equivalent but less expensive
5 drug may, in some cases, be substituted for the drug prescribed by
6 your doctor. Please consult your pharmacist or physician." The
7 printing on the sign shall be in block letters not less than one inch
8 in height.
9 * Sec. 4. AS 08.80.030(3), 08.80.295(b), (c), and (f); and AS 17.35 are
10 repealed.
11 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
12 10.070(c).