

By: Janek

S.B. No. 409

A BILL TO BE ENTITLED

AN ACT

1
2 relating to restrictions on the substitution of generically
3 equivalent versions of antiepileptic and antiseizure drugs.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter A, Chapter 562, Occupations Code, is
6 amended by adding Section 562.0141 to read as follows:

7 Sec. 562.0141. SELECTION OF ANTIEPILEPTIC AND ANTISEIZURE
8 DRUGS. (a) Except as provided by Subsection (b), a pharmacist may
9 not dispense a drug for the treatment of epilepsy or for the
10 treatment or prevention of seizures unless the drug is the specific
11 formulation and manufactured by the specific manufacturer that is
12 prescribed by the patient's physician.

13 (b) A pharmacist may substitute a drug product that is
14 generically equivalent for the treatment of epilepsy or for the
15 treatment or prevention of seizures if, before making the
16 substitution, the pharmacist obtains a signed authorization from
17 the prescribing physician.

18 SECTION 2. This Act takes effect September 1, 2007.