Sen. Carol Ronen

Filed: 2/16/2006

AMENDMENT TO SENATE BILL 2578

AMENDMENT NO. _____. Amend Senate Bill 2578 on page 3, immediately below line 28, by inserting the following:

"(a) The General Assembly finds that this Section is necessary for the immediate preservation of the public peace, health, and safety."; and

on page 3, line 29, by replacing "(a)" with "(b)"; and

on page 3, by replacing lines 32 through 35 with the following:

"seizures.

"Epilepsy" means a neurological condition characterized by recurrent seizures."; and

on page 4, by replacing lines 1 through 25 with the following:

""Seizure" means a brief disturbance in the electrical activity of the brain.

(c) When the prescribing physician has indicated on the original prescription "dispense as written" or "may not substitute", a pharmacist may not interchange an anti-epileptic drug or formulation of an anti-epileptic drug for the treatment of epilepsy without notification and the documented consent of the prescribing physician and the patient or the patient's parent, legal guardian, or spouse.

Section 10. The Illinois Food, Drug and Cosmetic Act is

amended by changing Section 3.14 as follows:

(410 ILCS 620/3.14) (from Ch. 56 1/2, par. 503.14)

Sec. 3.14. Dispensing or causing to be dispensed a different drug in place of the drug or brand of drug ordered or prescribed without the express permission of the person ordering or prescribing. Except as set forth in Section 26 of the Pharmacy Practice Act ~~However~~, this Section does not prohibit the interchange of different brands of the same generically equivalent drug product, when the drug products are not required to bear the legend "Caution: Federal law prohibits dispensing without prescription", provided that the same dosage form is dispensed and there is no greater than 1% variance in the stated amount of each active ingredient of the drug products. A generic drug determined to be therapeutically equivalent by the United States Food and Drug Administration (FDA) shall be available for substitution in Illinois in accordance with this Act and the Pharmacy Practice Act of 1987, provided that each manufacturer submits to the Director of the Department of Public Health a notification containing product technical bioequivalence information as a prerequisite to product substitution when they have completed all required testing to support FDA product approval and, in any event, the information shall be submitted no later than 60 days prior to product substitution in the State.

(Source: P.A. 92-112, eff. 7-20-01; 93-841, eff. 7-30-04.)".