

Commerce
Rodgers, Chairperson
Burroughs
Bergman

FILED FEB 14 1978

SENATE FILE 2112

By BISENIUS

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring pharmacists to inform patients or other per-
2 sons presenting prescriptions of the pharmacists' authority
3 to select a drug product generically equivalent to but of
4 lesser cost than the one prescribed.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section one hundred fifty-five point thirty-
2 seven (155.37), subsection one (1), paragraph a, Code 1977,
3 is amended to read as follows:

4 a. If a physician, dentist, podiatrist or veterinarian
5 prescribes, either in writing or orally, a drug by its brand
6 or trade name and does not specifically state that only that
7 designated brand or trade name drug product is to be dispensed,
8 and if the pharmacy to which the prescription is presented
9 or communicated has in stock one or more other drug products
10 with the same generic name and demonstrated bioavailability
11 as the one prescribed, the pharmacist may shall advise the
12 person presenting the prescription of the pharmacist's
13 authority to exercise his or her professional judgment in
14 the economic interest of the patient or the patient's adult
15 representative who is purchasing the prescription by selecting
16 a drug product generically equivalent to but of lesser cost
17 than the one prescribed for dispensing and sale to the patient-
18 ~~if-the-pharmacist-does-so,-he-or-she-shall-inform-the-patient~~
19 or the patient's adult representative, and of the savings
20 which the patient ~~will~~ would obtain as a result of
21 substitution and. If the pharmacist makes a substitution
22 as authorized by this section, he or she shall pass on to
23 the patient or the patient's representative the full difference
24 in actual acquisition costs between the drug prescribed and
25 the drug substituted.

26 EXPLANATION

27 This bill requires pharmacists, when presented a
28 prescription not restricted against generic substitution by
29 the prescribing practitioner, to inform consumers of the
30 pharmacists' authority under law to make substitution of a
31 generically equivalent but less costly product for the product
32 prescribed, in the economic interest of the patient or the
33 person purchasing the prescription for the patient.

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