

1 SB280
2 174227-1
3 By Senators Dunn, Orr and Beasley
4 RFD: Health and Human Services
5 First Read: 23-FEB-16

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8 SYNOPSIS: Under existing law, as a condition of
9 participation in the Public Education Employees
10 Health Insurance Programs (PEEHIP), a pharmacist is
11 required to dispense a generic equivalent
12 medication to fill a prescription for a PEEHIP
13 patient when one is available unless the physician
14 indicates otherwise in longhand writing on the
15 prescription.

16 This bill would allow a prescribing
17 physician to also indicate that a generic
18 equivalent drug should not be used by indicating
19 such by mark or signature in the appropriate place
20 on the prescription or by indicating such in an
21 electronic prescription.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 To amend Section 16-25A-18, Code of Alabama 1975,
2 relating to generic equivalent medications, to allow a
3 prescribing physician to also indicate that a generic
4 equivalent drug should not be used by indicating such by mark
5 or signature in the appropriate place on the prescription or
6 by indicating such in an electronic prescription.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 16-25A-18, Code of Alabama 1975,
9 is amended to read as follows:

10 "§16-25A-18.

11 "As a condition of participation in the Public
12 Education Employees Health Insurance Programs (PEEHIP), a
13 pharmacist shall dispense a generic equivalent medication to
14 fill a prescription for a patient covered by PEEHIP when one
15 is available unless the physician indicates in longhand
16 writing on the prescription, indicates by mark or signature in
17 the appropriate place on the prescription, or indicates in an
18 electronic prescription, the following: "medically Necessary"
19 or "dispense as written" or "do not substitute". The generic
20 equivalent drug product dispensed shall be pharmaceutically
21 and therapeutically equivalent and contain the same active
22 ingredient or ingredients, and shall be of the same dosage,
23 form, and strength."

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.