

SECOND REGULAR SESSION

HOUSE BILL NO. 1879

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SUTHERLAND.

Read 1st time January 28, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4703L.01I

AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to prohibiting the interchange of antiepileptic drugs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be known as section 338.058, to read as follows:

338.058. 1. For purposes of this section, the following terms shall mean:

- (1) "Antiepileptic drug", any drug prescribed for the treatment of epilepsy or the treatment or prevention of seizures;**
- (2) "Epilepsy", a neurological condition characterized by recurrent seizures;**
- (3) "Interchange", the substitution of one version of an antiepileptic drug for the antiepileptic drug originally prescribed, including:**
 - (a) A generic for the prescribed brand;**
 - (b) A brand for the prescribed drug;**
 - (c) A generic by one manufacturer for a generic by a different manufacturer;**
 - (d) A different formulation of the prescribed antiepileptic drug; or**
 - (e) A different antiepileptic drug;**
- (4) "Seizure", an acute clinical change secondary to a brief disturbance in the electrical activity of the brain.**

2. Notwithstanding section 338.056 to the contrary, a pharmacist shall not interchange an antiepileptic drug without prior notification and the signed, informed

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **consent of the prescribing practitioner and the patient or the patient's parent, legal**
17 **guardian, or spouse.**

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