

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1185

5 By: Representative Wright
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For An Act To Be Entitled

8 AN ACT TO MODIFY THE DEFINITION OF PRESCRIPTION UNDER
9 THE PHARMACY ACT; AND FOR OTHER PURPOSES.
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Subtitle

11 TO MODIFY THE DEFINITION OF PRESCRIPTION
12 UNDER THE PHARMACY ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 17-92-101(17), concerning the definition of
20 prescription for the pharmacy act, is amended to read as follows:

21 (17) "Prescription" means an order for medicine or medicines
22 usually written as a formula by a physician, optometrist, dentist,
23 veterinarian, or other licensed medicinal practitioner. It contains the
24 names and quantities of the desired substance, with instructions to the
25 pharmacist for its preparation and to the patient for the use of the medicine
26 at a particular time and may authorize the pharmacist to substitute a
27 therapeutically equivalent drug that is at a lower cost to the patient.
28 Authorization for substitution must be given in writing or by electronic
29 means in the prescription. The pharmacist shall discuss with the patient any
30 suggested substitution and shall send notice of the substitution to the
31 prescriber in writing or by electronic communication as soon as possible but
32 no later than seventy-two (72) hours after the drug is dispensed to the
33 patient;
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35 SECTION 2. Arkansas Code § 17-92-101, concerning the definitions for
36 the pharmacy act, is amended to add an additional subdivision to read as



1 follows:

2 (20) "Therapeutic class" means a group of similar drug products
3 that have the same or similar mechanisms of action and are used to treat a
4 specific condition;

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6 SECTION 3. Arkansas Code § 17-92-101(20), concerning the definition of
7 therapeutically equivalent for the pharmacy act, is amended to read as
8 follows:

9 ~~(20)~~(21) "Therapeutically equivalent" means ~~pharmaceutically~~
10 ~~equivalent~~ drug products from the same therapeutic class that if administered
11 in ~~the same~~ appropriate amounts will provide the same therapeutic effect,
12 identical in duration and intensity;

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