

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

As Engrossed: H2/12/13

A Bill

HOUSE BILL 1185

5 By: Representative Wright
6 *By: Senator J. Dismang*
7

For An Act To Be Entitled

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

Subtitle

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

22 (17) "Prescription" means an order for medicine or medicines
23 usually written as a formula by a physician, optometrist, dentist,
24 veterinarian, or other licensed medicinal practitioner. It contains the
25 names and quantities of the desired substance, with instructions to the
26 pharmacist for its preparation and to the patient for the use of the medicine
27 at a particular time and may authorize the pharmacist to substitute a
28 therapeutically equivalent drug that is at a lower cost to the patient.

29 The pharmacist shall discuss any suggested substitution with the patient and
30 inform the patient that the patient has a right to refuse the substitution.

31 The pharmacist shall send notice of the substitution to the prescriber in
32 writing or by electronic communication within (24) hours after the drug is
33 dispensed to the 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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14 */s/Wright*

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