

House Bill 1042

By: Representatives Cooper of the 41st, Wilkinson of the 52nd, Rynders of the 152nd, Maddox of the 172nd, Dickson of the 6th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,
2 relating to prescription drugs, so as to prohibit a pharmacist from engaging in drug product
3 selection or substitution for a patient undergoing immunosuppressive therapy to prevent
4 transplant rejection without prior consent of the patient and prescribing physician; to provide
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to
9 prescription drugs, is amended by adding a new Code section to read as follows:

10 "26-4-91.

11 Notwithstanding any other provision of law, a pharmacist shall not engage in drug product
12 selection or substitution of any pharmaceutical or biological entity that is prescribed as part
13 of immunosuppressive therapy for a patient that has received an organ or tissue transplant
14 to inhibit or prevent immune system activity that might increase the probability of the
15 rejection of such transplanted organs or tissues without first obtaining the consent of the
16 patient and of the prescribing physician."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.