

ADOPTED

Senator Hawkins of the 49th offered the following amendment:

1 *Amend HB 367 (LC 36 1095S) by inserting after "created;" on line 6 of page 1 the following:*
2 to amend Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,
3 relating to prescription drugs, so as to prohibit the substitution of certain drugs;

4 *By inserting between lines 21 and 22 of page 2 the following:*

SECTION 2B.

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

8 "26-4-81.1.

9 A pharmacist shall not engage in substitution of any drug prescribed to inhibit or prevent
10 immune system activity as part of immunosuppressive therapy for a patient who has
11 received an organ or tissue transplant that might increase the probability of the rejection
12 of such transplant or of any drug or formulation thereof prescribed for the treatment of
13 epilepsy or used to treat or prevent seizures without the consent of the prescribing
14 physician. If the pharmacist, after reasonable attempts, is unable to contact the prescribing
15 physician as required under this Code section, the pharmacist may substitute a generically
16 equivalent immunosuppressive drug or a generically equivalent drug used expressly for
17 control of epileptic seizures for a period of no more than 72 hours. When permitted by this
18 Code section, a pharmacist may substitute a generic version by one manufacturer for a
19 generic version by another manufacturer if both versions are AB rated by the federal Food
20 and Drug Administration. This Code section shall not apply to a pharmacist who is a
21 member of the staff of and dispenses drugs from the pharmacy of a hospital issued a permit
22 as an institution under Code Section 31-7-1."