

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB689)

Received: **01/29/2004**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Curtis Gielow (608) 266-0486**

By/Representing: **John Reineman**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies: **DAK, PJH**

Submit via email: **YES**

Requester's email: **Rep.Gielow@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disclosing therapeutic substitutions on prescription labels

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	mkunkel 01/29/2004	jdye 02/02/2004	rschluet 02/02/2004		sbasford 02/02/2004	sbasford 02/02/2004	

FE Sent For:

<END>

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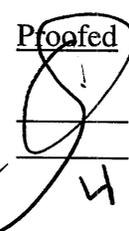
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/?	mkunkel	1 2/2 jld					

FE Sent For:

<END>

Kunkel, Mark

a 2056

From: Reinemann, John
Sent: Thursday, January 29, 2004 9:27 AM
To: Kunkel, Mark
Subject: RE: Drafting request: amendment to AB 689

(R 450.11
44)(C) ?

Hi Mark. Thanks for the quick look at the request.

Yes, you assume correctly on all points. We are fine with s.450.13(1) and s.450.11(4) (a) 7.

We want to give the pharmacist maximum freedom without requiring that these label changes be made. So yes, let the pharmacist indicate what was prescribed and what was filled. Perhaps we need to require that the label include the statement that the abc drug provided is therapeutically equivalent to prescribed drug ayz, or whatever. Your call on that.

Do call with any questions.

John

-----Original Message-----

From: Kunkel, Mark
Sent: Wednesday, January 28, 2004 5:13 PM
To: Reinemann, John
Subject: RE: Drafting request: amendment to AB 689

John:

Under current law, a pharmacist is required to fill a prescription order with a less expensive substitute, unless the physician (or other authorized practitioner) who made the prescription order specifies that no substitutes should be allowed. See s. 450.13 (1), stats. In addition, current law requires the label to disclose the name and strength of the prescribed drug, unless the physician (or other authorized practitioner) request this information to be omitted from the label. See s. 450.11 (4) (a) 7., stats.

I assume you don't want to change the above requirements. Is that correct?

Also, do you want to allow a pharmacist to indicate the name of the drug prescribed, in those cases where the pharmacist makes a substitution for the less expensive equivalent?

Sorry about the wordiness of the above. I'll call you tomorrow so we can discuss this.

-- Mark

-----Original Message-----

From: Reinemann, John
Sent: Wednesday, January 28, 2004 4:00 PM
To: Kunkel, Mark
Subject: Drafting request: amendment to AB 689

Mark: I am writing to request an amendment that we would like to draft to AB 689.

Rep. Gielow would like to do a permissive change ("may," not "shall") to the laws governing prescription drug labels. What he wants to accomplish is to allow a pharmacist who wishes to do so, to list alternatives that are chemically and therapeutically equivalent to a prescribed medication on the label (i.e. ibuprofen = Advil and Motrin).

The issue he is trying to address is, that as a pharmacist himself, he was asked to do this by a pharmacist who deals only with elderly patients. The clients are confused when a physician discusses a brand-name drug with the patient and then the pill bottle comes from the pharmacy and it bears the name of the generic drug that was used to fill the scrip. Alternatively letting a patient know that his/her scrip has substitutes might encourage better consumerism by patients.

Does this seem workable to you? If not, please contact me and we can discuss.

Thanks for you help.

John Reinemann
Aide to Rep. Curt Gielow
608-266-0486



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa2056/1

MDK:.....

JLD

SOON

ASSEMBLY AMENDMENT ,
TO 2003 ASSEMBLY BILL 689

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 2, line 10: after that line insert:

3 "SECTION 2m. ✓ 450.11 (4) (c) ✗ of the statutes is created to read:

4 450.11 (4) (c) In addition to the information required to be disclosed on a label

5 under par. (a), ✓ if a pharmacist dispenses, under s. 450.13, ✓ a prescription with a drug

6 product equivalent of the prescribed drug product, the pharmacist may include a

7 statement on the label identifying the prescribed drug product and indicating that

8 the ✓ federal food and drug administration has designated the ✓ drug product equivalent

9 as the therapeutic equivalent of the prescribed drug product, unless the prescribing

10 practitioner requests omission of the statement." ✓

11 (END)