

HOUSE BILL 2655

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 53,
Chapter 10, relative to prescription drugs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-10-204, is amended by redesignating existing subsection (e) as subsection (f) and by inserting the following language as a new subsection (e):

(e) A prescriber may determine that the interchange of drug formulations, meaning the substitution of a generic version for a brand version, a brand version for a generic version, or a generic version for a generic version of a different manufacturer, is acceptable provided that the prescriber is notified of the interchange to allow appropriate monitoring of the patient. In that event, the prescriber shall place an instruction on the prescription order, such as notify of interchange or NOI or circle a preprinted instruction, that clearly requires notifying the prescriber of the interchange. The pharmacist shall notify the prescriber of the interchange at the time the prescription is dispensed or prior to dispensing. Unless the pharmacist complies with this notification requirement, interchange is not permitted. Notification may be made verbally, and documented, or by fax or electronically. A notification that is clearly not transmitted successfully must be subsequently delivered verbally, and documented, no later than the prescriber's next business day.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.