

HB1119/626287/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1119

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Shetty” and substitute “Delegates Shetty, Bagnall, Barron, Belcastro, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Morgan, Pena–Melnik, Pendergrass, Reilly, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young”; in line 3, strike “Brand Name”; in lines 6 and 7, in each instance, strike “brand name”; in line 7, after “drug;” insert “altering the cost difference of which a pharmacist, or the pharmacist’s designee is required to inform a retail consumer under certain circumstances; applying a certain provision of law governing the provision of certain information to a retail consumer regarding the availability of certain drugs and products and certain cost differences to a prescription that is written for a generic drug or an interchangeable biological product; authorizing a pharmacist to substitute certain drugs and device products for any originally prescribed drug or device product, rather than only for originally prescribed brand name drug or device products;”; and in line 12, after “product;” insert “requiring that a certain determination be based on a consumer’s prescription benefit and formulary under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 5, strike “**LOWER IN COST THAN**” and substitute “**THE LOWEST COST ALTERNATIVE TO**”; in line 6, strike “**BRAND NAME**” and substitute “**GENERICALLY EQUIVALENT**”; in line 7, after “difference” insert “**OF THE LOWEST COST ALTERNATIVE**”; in line 8, strike “brand name”; strike beginning with “To” in line 15 down through “(ii)” in line 17; in lines 19 and 21, strike “(iii)” and “(iv)”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; in line 26, after “(d)” insert “**(1)**”; in line 27, after “**PRODUCT**” insert “**TO THE ORIGINALLY PRESCRIBED GENERICALLY EQUIVALENT DRUG OR DEVICE PRODUCT**”; in line 29, strike “brand name”; and in

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lines 30 and 32, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively.

On page 3, in lines 1, 4, and 6, strike “(i)”, “(ii)”, and “(3)”, respectively, and substitute “**1.**”, “**2.**”, and “**(III)**”, respectively; in line 4, strike “brand name”; in lines 7 and 8, strike “brand name”; and after line 8, insert:

“(2) IF A RETAIL CONSUMER IS USING PRESCRIPTION DRUG COVERAGE FOR THE PRESCRIPTION, THE DETERMINATION OF WHETHER THE CONSUMER WOULD BE CHARGED LESS FOR THE SUBSTITUTED DRUG OR DEVICE OR INTERCHANGEABLE BIOLOGICAL PRODUCT SHALL BE BASED ON THE CONSUMER’S PRESCRIPTION DRUG BENEFIT AND FORMULARY.”

On page 4, in line 13, strike “brand name”.