ASSEMBLY BILL NO. 95–ASSEMBLYMEN SPIEGEL, KIRKPATRICK, BOBZIEN, DIAZ, CARLTON; AIZLEY, ELLIOT ANDERSON, BENITEZ-THOMPSON, CARRILLO, COHEN, DONDERO LOOP, EISEN, ELLISON, HARDY, HEALEY, HICKEY, HOGAN, MARTIN, OHRENSCHALL, PIERCE AND STEWART

FEBRUARY 13, 2013

JOINT SPONSORS: SENATORS PARKS; SPEARMAN AND WOODHOUSE

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing prescription labels. (BDR 54-648)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

AN ACT relating to pharmacy; requiring, with limited exceptions, a pharmacist or practitioner to indicate on a prescription label if a generic drug has been substituted for a drug prescribed by brand name; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a pharmacist or practitioner to indicate on the label of a prescription that a generic drug has been substituted for a drug prescribed by brand name unless the indication is prohibited by the practitioner who prescribed the drug. (NRS 639.2587) This bill requires such an indication in every circumstance where a generic drug is substituted for a drug prescribed by brand name unless the person for whom the drug is dispensed elects not to have such an indication written or typed on the label.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 639.2587 is hereby amended to read as follows:

639.2587 If a generic drug is substituted for a drug prescribed by brand name, the pharmacist or practitioner ~~[~~:

~~1. Shall note~~] ***shall:***

1. Note the name of the manufacturer, packer or distributor of the drug actually dispensed on the prescription; and

2. ~~[Unless prohibited by the practitioner, may indicate]~~ ***Indicate*** the substitution by writing or typing on the label the words "substituted for ~~["]~~ ***," or substantially similar language,*** following the generic name and preceding the brand name of the drug ~~[.]~~ ***unless the person for whom the drug is dispensed elects not to have such an indication written or typed on the label.***

Sec. 2. This act becomes effective on July 1, 2013.

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