

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; revising provisions authorizing 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:

1 Existing law authorizes a pharmacist or practitioner to indicate on the label of a
2 prescription that a generic drug has been substituted for a drug prescribed by brand
3 name unless the indication is prohibited by the practitioner who prescribed the
4 drug. (NRS 639.2587) This bill requires a pharmacist or practitioner to make such
5 an indication unless, at the time the initial substitution of the generic drug is made,
6 the person for whom the drug is dispensed elects not to have such an indication
7 written or typed on the label. This bill further provides that an election by the
8 person to indicate or not indicate a substitution on the label applies both to the fill
9 and each refill of the same prescription.



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 not~~ *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, at the time the initial substitution of the generic drug for a drug prescribed by brand name is made, the person for whom the drug is dispensed elects not to have such an indication written or typed on the label. An election to indicate or not to indicate a substitution on the label pursuant to this subsection applies to both the fill and each refill of the same prescription.*

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

