

SECOND REGULAR SESSION

# SENATE BILL NO. 1094

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time February 6, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4643S.011

## AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to prohibiting the interchange of anti-epileptic drugs.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be known as section 338.058, to read as follows:

**338.058. 1. For purposes of this section, the following terms shall mean:**

(1) "Anti-epileptic drug", any drug prescribed for the treatment of epilepsy or the treatment or prevention of seizures;

(2) "Epilepsy", a neurological condition characterized by recurrent seizures;

(3) "Interchange", the substitution of one version of an anti-epileptic drug for the anti-epileptic drug originally prescribed, including:

(a) A generic for the prescribed brand;

(b) A brand for the prescribed drug;

(c) A generic by one manufacturer for a generic by a different manufacturer;

(d) A different formulation of the prescribed anti-epileptic drug;

or

(e) A different anti-epileptic drug;

(4) "Seizure", an acute clinical change secondary to a brief disturbance in the electrical activity of the brain.

2. Notwithstanding section 338.056 to the contrary, a pharmacist shall not interchange an anti-epileptic drug without prior notification and the signed, informed consent of the prescribing practitioner and

22 **the patient or the patient's parent, legal guardian, or spouse.**

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