

# SENATE BILL No. 479

June 16, 2011, Introduced by Senator GLEASON and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 17769.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 17769. A PHARMACIST SHALL NOT INTERCHANGE AN  
2        ANTIEPILEPTIC DRUG OR FORMULATION OF AN ANTIEPILEPTIC DRUG THAT IS  
3        PRESCRIBED FOR THE TREATMENT OF EPILEPSY OR THE TREATMENT OR  
4        PREVENTION OF SEIZURES WITHOUT THE PRIOR NOTIFICATION OF AND THE  
5        SIGNED INFORMED CONSENT TO THE INTERCHANGE BY THE PRESCRIBING  
6        PHYSICIAN AND THE PATIENT OR THE PATIENT'S PARENT, LEGAL GUARDIAN,  
7        SPOUSE, OR OTHER LEGAL REPRESENTATIVE. AS USED IN THIS SECTION:

8        (A) "ANTIEPILEPTIC DRUG" MEANS A DRUG OR THERAPEUTIC  
9        FORMULATION, GENERIC OR BRAND, PRESCRIBED FOR THE TREATMENT OF  
10       EPILEPSY OR THE TREATMENT OR PREVENTION OF SEIZURES.

11       (B) "EPILEPSY" MEANS A NEUROLOGICAL CONDITION CHARACTERIZED BY

1 RECURRENT SEIZURES.

2 (C) "INTERCHANGE" MEANS THE SUBSTITUTION OF 1 VERSION OF AN  
3 ANTIEPILEPTIC DRUG FOR THE ANTIEPILEPTIC DRUG ORIGINALLY  
4 PRESCRIBED, INCLUDING, BUT NOT LIMITED TO, A GENERIC VERSION FOR  
5 THE PRESCRIBED BRAND, A BRAND VERSION FOR THE PRESCRIBED GENERIC, A  
6 GENERIC VERSION BY 1 MANUFACTURER FOR THE PRESCRIBED GENERIC BY A  
7 DIFFERENT MANUFACTURER, A DIFFERENT FORMULATION OF AN ANTIEPILEPTIC  
8 DRUG FOR THE PRESCRIBED ANTIEPILEPTIC DRUG, OR A DIFFERENT  
9 ANTIEPILEPTIC THERAPEUTIC DRUG PRODUCT FOR THE PRESCRIBED  
10 ANTIEPILEPTIC DRUG.

11 (D) "SEIZURE" MEANS AN ACUTE CLINICAL CHANGE SECONDARY TO A  
12 BRIEF DISTURBANCE IN THE ELECTRICAL ACTIVITY OF THE BRAIN.