

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB979

Hearing Date: Friday February 05, 2016
Committee On: Health and Human Services
Introducer: Kuehn
One Liner: Provide for selection of interchangeable biological products by pharmacists

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Campbell, Crawford, Fox, Howard, Kolterman
Nay:
Absent:
Present Not Voting: 2 Senators Baker, Riepe

Verbal Testimony:

Proponents:

Senator John Kuehn
Phil Kozera
Jim McKay
Dr. Thomas Felix
Melvin Churchill, MD
Jackie Newman
Allyson Johnson
David Holmquist
Kim Robak
Coleen Nielsen

Representing:

District 38
Bio Nebraska Life Sciences Association
Novartis/Sandoz
AMGEN
Arthritis Center of Nebraska
Arthritis Foundation
Self
American Cancer Society; Cancer Action Network
NE Medical Assn; American Academy of Dermatology
Express Scripts

Opponents:

Joni Cover

Representing:

NE Pharmacists Assn

Neutral:

Eric Dunning

Representing:

Blue Cross & Blue Shield of NE

Summary of purpose and/or changes:

LB979 amends the Pharmacy Practice Act and Drug Product Selection Act to include interchangeable biological products. The use of interchangeable biological products is similar to, but not the same as, the selection of generic drugs. The federal Food and Drug Administration determines and licenses biological products as interchangeable, the bill requires the Department of Health and Human Services (DHHS) to provide and maintain a list of such products. Allows DHHS to promulgate rules and regulations. Defines biological product and interchangeable biological product. Requires a dispensing pharmacist to enter into an electronic medical records system, prescribing technology, pharmacy benefit management system, pharmacy record or otherwise communicate with the prescriber the specific product provided to the patient within 5 days of dispensing unless the biological product is not interchangeable or is a refill. Amends the Automated Medication Systems Act to include references to biological products.

Explanation of amendments:

AM2139 replaces the bill, strikes the use of "biological" throughout by including "biological" and "interchangeable biological product" in the definition of "drug product select". Amends the notification provision to require a pharmacist to advise a patient when the drug product selection has occurred. Also reduces the time to enter the dispensing of an interchangeable biological product into an electronic system or otherwise notify the prescriber from five days to three days. Requires a list of the FDA approved interchangeable drug products to be posted on the DHHS webpage.

Kathy Campbell, Chairperson