HOUSE DOCKET, NO. 929 FILED ON: 1/19/2011

HOUSE . . . . . No. 585

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to protect patients from breakthrough seizures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William N. Brownsberger	*[District]*
Jason M. Lewis	*31st Middlesex*

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By [SPONSOR PREFIX] [SPONSOR NAME] of [SPONSOR CITY], a petition (accompanied by bill, House, No. 585) of [PETITIONERS LIST] relative to protecting patients from breakthrough seizures. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2024* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to protect patients from breakthrough seizures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of Chapter 94C of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding at the end thereof, the following:-

"Anti-epileptic drug", (1) any drug prescribed for the treatment of epilepsy or (2) a drug used to treat or prevent seizures

"Epilepsy", a neurological condition characterized by recurrent seizures.

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

"Interchange" means the substitution of one version of the same anti-epileptic therapeutic product, including a generic version for the prescribed brand, a brand version for the prescribed generic version, a generic version by one manufacturer for a generic version by different manufacturer, a different formulation of the prescribed anti-epileptic drug or a different anti-epileptic therapeutic drug product for the anti-epileptic product originally prescribed

SECTION 2. Section 21A of Chapter 94C of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting, at the end of the first paragraph, the following new paragraph:-

16 A pharmacist may not interchange an anti-epileptic drug or formulation of an anti-
17 epileptic drug, brand or generic, for the treatment of seizures (epilepsy) without prior notification
18 of and the signed informed consent of such interchange from the prescribing physician and
19 patient, or patient's parent, legal guardian or spouse of such person.