
Health Care & Wellness Committee

HB 2495

Brief Description: Prohibiting pharmacists from substituting opioid analgesic drugs for an opioid analgesic drug incorporating a tamper resistance technology without verifying equivalence or obtaining the written, signed consent of the prescribing physician.

Sponsors: Representatives Jinkins, Hinkle, Green, Bailey, Moeller and Hurst.

Brief Summary of Bill

- Prohibits pharmacists from substituting an opioid analgesic drug for an opioid analgesic drug incorporating tamper resistance properties, unless the drug has substantially similar tamper resistance properties or the prescribing physician provides written consent for the substitution.

Hearing Date: 1/30/12

Staff: Chris Blake (786-7392).

Background:

Substitution of Drugs.

Drug prescriptions must contain an instruction as to whether or not a therapeutically equivalent generic drug may be substituted, unless a prior-consent authorization allows for substitutions. A prescription is not valid unless the prescribing practitioner has signed whether the prescription must be dispensed as written or if a substitution is permitted.

When filling a prescription under a state-purchased health care program, including Medical Assistance programs, the Public Employee Benefits Board's self-insured program, and Labor and Industries programs, a pharmacist must substitute a preferred drug for a nonpreferred drug in a therapeutic class. This requirement does not apply in cases in which the prescribing practitioner has noted on the prescription that the nonpreferred drug must be dispensed as written.

Opioid Analgesics.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Opioids are a type of prescription drug used to relieve pain. Opioids are effective for short term pain management, while long-term use requires screening and monitoring to protect against the development of an addiction disorder. According to the National Institutes of Health, about 5 percent of people who use opioid analgesics develop an addiction disorder.

Summary of Bill:

Pharmacists are prohibited from substituting an opioid analgesic drug for an opioid analgesic drug incorporating a tamper resistance technology, except where the drug provides tamper resistance properties substantially similar to the prescribed opioid analgesic drug incorporating a tamper resistance technology or the prescribing physician provides written consent for the substitution.

"Opioid analgesic drug incorporating a tamper resistance technology" is defined as an opioid analgesic drug that (1) incorporates a tamper resistance technology and (2) has been approved after at least one human tampering or abuse potential study that compares its tamper resistance to at least one other opioid analgesic drug that has been approved by the Federal Drug Administration.

Appropriation: None.

Fiscal Note: Requested on January 24, 2012.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.