

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2467-01  
Bill No.: SB 634  
Subject: Pharmacy; Health Care Professionals; Health Care; Health, Public  
Type: Original  
Date: March 12, 2007

Bill Summary: Prohibits the substitution of anti-epileptic drugs.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	(Could exceed \$55,000)	(Could exceed \$66,000)	(Could exceed \$66,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Could exceed \$55,000)</b>	<b>(Could exceed \$66,000)</b>	<b>(Could exceed \$66,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Other State	(Could exceed \$10,833)	(Could exceed \$13,000)	(Could exceed \$13,000)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>(Could exceed \$10,833)</b>	<b>(Could exceed \$13,000)</b>	<b>(Could exceed \$13,000)</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>
Federal	(Could exceed \$17,500)	(Could exceed \$21,000)	(Could exceed \$21,000)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>(Could exceed \$17,500)</b>	<b>(Could exceed \$21,000)</b>	<b>(Could exceed \$21,000)</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

**FISCAL ANALYSIS**

ASSUMPTION

Officials from the **Department of Insurance, Financial and Professional Regulation, Department of Public Safety (DPS) - Director's Office, DPS - Missouri State Highway Patrol, Department of Health and Senior Services, Department of Social Services, Missouri Department of Transportation, and Missouri Department of Conservation** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Missouri Consolidated Health Care Plan (HCP)** state anti-epileptic generic drugs that are approved at an AB-rating by the FDA are considered to be bioequivalent to the brand drug. According to the FDA, these AB-rated generics can be exchanged without harm to the patient. AB-rated drugs currently do not need prior notification and consent of the prescribing practitioner. Limiting generic drug accessibility may cause cost increases over \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
<b>GENERAL REVENUE FUND</b>			
<u>Costs - Missouri Consolidated Health Care Plan</u>			
Increase in prescription drug costs	<u>(Could exceed \$55,000)</u>	<u>(Could exceed \$66,000)</u>	<u>(Could exceed \$66,000)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(Could exceed \$55,000)</u></b>	<b><u>(Could exceed \$66,000)</u></b>	<b><u>(Could exceed \$66,000)</u></b>
<b>OTHER STATE FUNDS</b>			
<u>Costs - Missouri Consolidated Health Care Plan</u>			
Increase in prescription drug costs	<u>(Could exceed \$10,833)</u>	<u>(Could exceed \$13,000)</u>	<u>(Could exceed \$13,000)</u>
<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>	<b><u>(Could exceed \$10,833)</u></b>	<b><u>(Could exceed \$13,000)</u></b>	<b><u>(Could exceed \$13,000)</u></b>
<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010

**FEDERAL FUNDS**

Costs - Missouri Consolidated Health  
Care Plan

Increase in prescription drug costs	<u>(Could exceed \$17,500)</u>	<u>(Could exceed \$21,000)</u>	<u>(Could exceed \$21,000)</u>
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**ESTIMATED NET EFFECT ON  
FEDERAL FUNDS**

<u>(Could exceed \$17,500)</u>	<u>(Could exceed \$21,000)</u>	<u>(Could exceed \$21,000)</u>
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FISCAL IMPACT - Local Government

FY 2008  
(10 Mo.)

FY 2009

FY 2010

**ALL LOCAL GOVERNMENTS**

Costs - All Local Governments

Increase in prescription drug costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON ALL  
LOCAL GOVERNMENTS**

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

This proposal could increase small business health care costs.

FISCAL DESCRIPTION

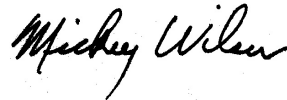
This proposal provides that a pharmacist shall not substitute one version of an anti-epileptic drug for the anti-epileptic drug originally prescribed without prior notification and the signed, informed consent of the prescribing practitioner and the patient or the patient's parent, legal guardian, or spouse.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

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Missouri Department of Transportation  
Department of Insurance, Financial and Professional Regulation  
Department of Health and Senior Services  
Department of Social Services  
Department of Public Safety -  
    Director's Office  
    Missouri State Highway Patrol  
Missouri Consolidated Health Care Plan  
Missouri Department of Conservation



Mickey Wilson, CPA  
Director  
March 12, 2007