

Legislative History

2013 AB 1139 (Lowenthal) – Would have allowed pharmacists to substitute a biosimilar product for a prescribed biological product if the Food and Drug Administration (FDA) has determined that the biosimilar product is interchangeable with the prescribed biological product. This bill's first hearing in the Assembly Business, Professions & Consumer Protection Committee was cancelled at the author's request. *CalPERS Position: None.*

SB 598 (Hill) –Would have allowed a pharmacist filling a prescription order for a prescribed biological product to select a biosimilar if the biosimilar is approved and deemed interchangeable with the prescribed biologic product by the FDA, and the prescriber does not affirmatively indicate “Do not substitute” on the prescription order. For prescriptions filled prior to January 1, 2017, the bill also would have required the pharmacist to notify the prescriber whether the prescription dispensed was a biological product or an interchangeable biosimilar, or enter the information in a patient record system shared by the prescriber within five business days of the selection of a biological product or an interchangeable biosimilar. This bill was vetoed by the Governor. *CalPERS Position: Oppose unless Amended.*