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LEGISLATIVE COUNSEL'S DIGEST

AP 11: PRESCRIPTIONS: PURPOSE OF MEDICATION: LABELING.

EXISTING LAW, THE MEDICAL PRACTICE ACT, PROVIDES FOR THE LICENSURE AND REGULATION OF PHYSICIANS AND SURGEONS BY THE MEDICAL BOARD OF CALIFORNIA. EXISTING LAW AUTHORIZES A PHYSICIAN AND SURGEON TO PRESCRIBE, DISPENSE, FURNISH, OR ADMINISTER PRESCRIPTION DRUGS SUBJECT TO SPECIFIED REQUIREMENTS.

EXISTING LAW PROHIBITS A PHARMACIST FROM DISPENSING A PRESCRIPTION EXCEPT IN A CONTAINER THAT MEETS THE REQUIREMENTS OF STATE AND FEDERAL LAW AND IS CORRECTLY LABELED WITH SPECIFIED INFORMATION, INCLUDING THE CONDITION OR PURPOSE FOR WHICH THE DRUG WAS PRESCRIBED IF THE CONDITION OR PURPOSE IS INDICATED ON THE PRESCRIPTION.

THIS MEASURE WOULD MEMORIALIZE THE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION THAT WOULD REQUIRE ALL PRESCRIBERS TO

INCLUDE THE PURPOSE OF THE MEDICATION IN PRESCRIPTIONS SO THAT THE PRESCRIPTION DRUG LABEL MAY INCLUDE THAT PURPOSE, UNLESS THE PATIENT OR THE PRESCRIBER REQUESTS THIS INFORMATION BE OMITTED.

VOTE: MAJORITY.

AP 11: RELATING TO PRESCRIPTIONS

WHEREAS, MANY PRESCRIPTION DRUGS HAVE MORE THAN ONE USE OR PURPOSE; AND

WHEREAS, STATE LAW REQUIRES A PRESCRIPTION, WRITTEN BY A PHYSICIAN OF OTHER PRESCRIBER, TO INCLUDE DIRECTIONS FOR USE OF THE PRESCRIBED DRUG AND, IF REQUESTED BY THE PATIENT, A CLEAR NOTICE OF THE CONDITION OR PURPOSE FOR WHICH THE DRUG IS BEING PRESCRIBED; AND

WHEREAS, STATE LAW REQUIRES A PHARMACIST TO INCLUDE THE INFORMATION WRITTEN ON THE PRESCRIPTION TO BE INCLUDED ON THE DRUG LABEL; AND

WHEREAS, MANY PEOPLE, PARTICULARLY SENIORS, HAVE UNEXPIRED PRESCRIPTION DRUGS IN THEIR MEDICINE CABINETS AND DO NOT REMEMBER THE INTENDED USE BECAUSE THE PURPOSE FOR THE DRUG IS OMITTED FROM THE LABEL; AND

WHEREAS, INCLUDING THE PURPOSE FOR THE PRESCRIPTION DRUG ON THE DRUG LABEL WILL SAVE THE PRESCRIBER'S AND PHARMACIST'S TIME BY REDUCING THE NUMBER OF TELEPHONE CALLS AND VISITS TO BE REMINDED OF THE PURPOSE OF A PRESCRIPTION; AND

WHEREAS, INCLUDING THIS INFORMATION WILL ALSO PROVIDE A CHECK SYSTEM BETWEEN THE PHYSICIAN OR OTHER PRESCRIBER WRITING THE PRESCRIPTION AND THE PHARMACIST FILLING THE PRESCRIPTION AND, THEREFORE, WILL HELP REDUCE MEDICATION ERRORS; AND

WHEREAS, THE VETERANS ADMINISTRATION CURRENTLY REQUIRES PHYSICIANS TO INCLUDE THE PURPOSE OF THE MEDICATION ON ALL PRESCRIPTIONS; AND

WHEREAS, IN 2011, THE UNITED STATES PHARMACOPOEIAL CONVENTION PROPOSED A STANDARDIZED, PATIENT-CENTERED PRESCRIPTION DRUG LABEL THAT INCLUDES THE PURPOSES OF THE DRUG; AND

WHEREAS, THE NATIONAL COORDINATING COUNCIL FOR MEDICAL ERROR REPORTING AND PREVENTION HAS ALREADY ADOPTED GUIDELINES FOR PREVENTING MEDICATION DISPENSING ERRORS; AND

WHEREAS, PHARMACISTS AT THE ENCINO-TARZANA HOSPITAL PHARMACY, KAISER IRWIN STREET PHARMACY, SAVE-ON PHARMACIES, AND RITEAID PHARMACIES STATED THAT THE CONCEPT OF REQUIRING PHYSICIANS AND OTHER PRESCRIBERS TO INCLUDE THE PURPOSE OF A PRESCRIPTION DRUG IN THE

PRESCRIPTION IS EXCELLENT AND COULD BE HANDLED ROUTINELY THROUGH ELECTRONIC TRANSMISSION PRESCRIPTIONS; AND

WHEREAS, PRESCRIPTION DRUG INFORMATION IS PRIVATE AND CONFIDENTIAL AMONG THE PRESCRIBER, THE PATIENT, AND THE PHARMACIST; AND

WHEREAS, OVER-THE-COUNTER DRUGS INCLUDE THE PURPOSE OF THE DRUG ON THE LABEL AND PRESCRIPTION DRUGS SHOULD HAVE THE SAME SAFETY PRECAUTIONS; AND

WHEREAS, IN 2008, THE FEDERAL AGENCY FOR HEALTHCARE RESEARCH AND QUALITY STATED THAT 1.9 MILLION PEOPLE BECAME ILL OR INJURED FROM MEDICATION SIDE EFFECTS OR BECAUSE THEY TOOK THE WRONG MEDICATION. THIS DATA MEASURES ONLY PATIENTS TREATED IN HOSPITAL EMERGENCY DEPARTMENTS AS A RESULT OF MEDICATION ERROR, WHICH INDICATES THE MAGNITUDE OF THE PROBLEM. SOME OF THE ERRORS RESULTED FROM A PATIENT USING THE WRONG TYPE OR DOSE OF MEDICATION AT HOME; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR ASSEMBLY AND THE SENIOR SENATE, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2014 REGULAR SESSION, A MAJORITY OF THE MEMBERS VOTING THEREFOR, HEREBY PROPOSES THAT ALL PHYSICIANS AND OTHER PRESCRIBERS SHALL INCLUDE THE PURPOSE OF THE MEDICATION IN PRESCRIPTIONS SO THAT THE PRESCRIPTION

DRUG LABEL MAY INCLUDE THAT PURPOSE, UNLESS THE PATIENT OR THE PRESCRIBER REQUESTS THIS INFORMATION BE OMITTED; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE LEGISLATURE AND THE GOVERNOR OF THE STATE OF CALIFORNIA TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE SPEAKER OF THE ASSEMBLY, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE GOVERNOR OF THE STATE OF CALIFORNIA.