

**FORTY-SEVENTH LEGISLATURE
SECOND SESSION, 2006**

February 4, 2006

Mr. Speaker:

Your **CONSUMER AND PUBLIC AFFAIRS COMMITTEE**, to whom
has been referred

HOUSE BILL 34

has had it under consideration and reports same with
recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 23, after "in" insert "order to comply
with a preferred drug list or formulary, in".

2. On page 1, line 24, after "practitioner" insert "and after
consultation with the patient or the patient's representative. The
pharmacist must notify the prescribing practitioner of the
therapeutically alternate drug that was dispensed".

3. On page 2, line 16, strike the ending quotation mark.

4. On page 2, between lines 16 and 17, insert a new
subsection to read:

"C. The therapeutic interchange of a prescription drug
pursuant to Subsection A of this section shall not be construed in
any way to constitute permitted product selection for the purposes
of Subsection B of Section 27-2-16 NMSA 1978 unless drug product
selection is otherwise permitted by that subsection upon such
therapeutic exchange.""

and thence referred to the **BUSINESS AND INDUSTRY COMMITTEE**.

Respectfully submitted,

Gail Chasey, Chairwoman

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 4 For 3 Against
Yes: 4
No: Anderson, Gardner, Hamilton
Excused: None
Absent: None

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