

# **Pennsylvania's Generic Drug Law**

***Its Impact  
On You***



**Prepared for Senior  
Citizens by...**

**Your State Senator**

Generic drugs have become more popular as substitutes for brand-name medication. More doctors are prescribing them, more pharmacists are dispensing them, and more patients are requesting them. Under state law, the medication you receive will be generic, unless your doctor specifically writes on the prescription form that a brand-name drug is medically necessary.

There are a number of reasons why generic drugs have grown in popularity. As patents for brand-name drugs expire, other companies are then free to produce those same drugs under their chemical, or generic, name. In addition, the Federal Food and Drug Administration must, by law, ensure that a brand-name drug and its generic counterpart have the same amount of active ingredient, have roughly the same therapeutic effect, and are as safe as brand-name drugs.

But at the heart of the generic-drug issue and of Pennsylvania's law is a simple fact: greater substitution of generic equivalent drugs for brand-name drugs will save consumers money. Since the active ingredient in the generic drug was developed and tested to the FDA's satisfaction by the brand-name manufacturer, generic drug companies do not have to repeat these costly steps. Thus the generic drug can be offered at a lower price.



# Common Questions About Generic Drugs

In an effort to keep you up to date, below are some answers to questions about generic drugs and the law that encourages their use:

## Q. What is a generic drug?

**A.** A generic drug is called by its basic chemical name instead of a brand name chosen by a manufacturer. Under standards set down by the federal Food and Drug Administration, which tests these drugs, generic drugs are roughly medically equivalent to brand-name medication. In addition, they are often available at lower cost.

## Q. Are generic drugs as safe as brand-name drugs?

**A.** Generics must pass stringent federal tests that prove their effectiveness before they are allowed on the market. For the vast majority of patients, generic drugs can be substituted for the brand-name drug without any negative effects.

## Q. What does Pennsylvania's generic drug law do?

**A.** The law seeks to save consumers money by mandating that generic drugs be dispensed unless your doctor writes on the prescription form that the brand-name medication is medically necessary. The law accomplishes this through a change in the prescription form that doctors use.

## Q. How has the prescription form changed?

**A.** The old prescription form had two lines for the doctor to sign. If the doctor wanted the patient to have the brand-name medication, he or she

would sign the line that read "Do Not Substitute." If a generic drug could be substituted, the doctor would sign the line that read "Substitution Permissible."

Now there is only one line for the doctor to sign. If the doctor feels that the brand-name is medically necessary, the doctor simply writes "Brand Medically Necessary" on the form.

## Q. What does the prescription form look like?

## Q. Are doctors forced to prescribe generic drugs?

**A.** No. If the doctor feels that the brand-name drug is necessary for the patient's health, he or she can take a few seconds to write "Brand Medically Necessary" on the prescription form.

## Q. Can I request a brand-name drug if I want one?

**A.** Yes. You are encouraged to discuss with your doctor whether the generic equivalent of all medication prescribed for you will be as effective as the brand-name drug.

## Q. Are all drugs available in generic form?

**A.** No. Although the FDA lists more than 200 brand names that have generic equivalents, there are a number of drugs for which the patent has not yet expired or for which there is no approved generic substitute.

## Q. How much can be saved by using generic drugs?

**A.** Depending on the medication involved, the savings can be significant. According to the FDA, savings can range upwards of 50 percent in some cases.

## Q. Does this law help the PACE program?

**A.** Yes. The state's Pharmaceutical Assistance Contract for the Elderly (PACE) program subsidizes prescription costs for low-income senior citizens. Increased use of lower priced generic drugs could translate into significant savings for the PACE program. For information: [www.health.state.pa.us/pdf/ddc/generic.pdf](http://www.health.state.pa.us/pdf/ddc/generic.pdf)