

SENATOR WESELY: Right, thank you, Mr. Speaker. The bill, again, Senator Byars and I co-sponsored this legislation, and it was brought to us by some members of the pharmaceutical industry who recognize that advances have been made in the opportunities to utilize generic drugs in certain areas that previously the statutes have not allowed us to utilize. These are reiterated in the bill on page 4. That exemption is maintained. They are, basically, things like time-release capsules, and they were not perfected until recently to a point where generic drugs were felt to be not only compatible but bioequivalent and therapeutically equivalent, the terms that we used on the committee amendments. So what we do is we maintain this particular exemption that is in the statute but allow for where the Federal Drug Administration has determined that a generic drug is bioequivalent and therapeutically equivalent the option for a pharmacist to substitute the cheaper generic drug, if they so choose, and if the consumer so chooses, to save money. I should note for the record that the physician that prescribes the drug has complete control over the opportunity to substitute generic drugs. The physician could, in making the prescription, not allow for any sort of generic substitution, and so we maintain that power of the physicians. But where the physician doesn't mind and there is no prohibition against it, the pharmacist would have the opportunity to save money for the consumer through the generic substitution that previously was disallowed, but under this bill would be allowed. So with that, I would move for the advancement of LB 363.

SPEAKER PAACK: Is there any discussion on the advancement of LB 363? Seeing none, Senator Wesely, do you wish to close? He waives closing. We will now proceed to vote on the advancement of LB 363. All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 363.

SPEAKER BAACK: LB 363 advances. We will now to LB 363A. Mr. Clerk.

CLERK: LB 363A, Mr. President, offered by Senator Wesely. (Read title.)

SPEAKER BAACK: Senator Wesely.