(II) DETERMINED TO BE THERAPEUTICALLY EQUIVALENT;

(2) SHALL LIST ALL DRUG PRODUCTS THAT:

(I) WERE NOT SUBJECT TO PREMARKETING APPROVAL FOR SAFETY AND EFFECTIVENESS UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT;

(II) ARE MANUFACTURED BY FIRMS MEETING THE REQUIREMENTS OF THAT ACT;

(III) ARE SUBJECT TO PHARMACOPEIAL STANDARDS THAT ARE ADEQUATE TO ASSURE PRODUCT QUALITY; AND

(IV) HAVE BEEN DETERMINED BY THE COMMISSIONER OF FOOD AND DRUGS TO MEET ANY OTHER REQUIREMENTS NECESSARY TO ASSURE THERAPEUTIC EQUIVALENCE; AND

(3) MAY LIST ANY ADDITIONAL DRUG PRODUCTS THAT ARE DETERMINED BY THE DEPARTMENT TO MEET REQUIREMENTS THAT ARE ADEQUATE TO ASSURE PRODUCT QUALITY AND THERAPEUTIC EQUIVALENCE.

(E) DISTRIBUTION OF FORMULARY.

THE DEPARTMENT SHALL DISTRIBUTE THE FORMULARY AND ITS REVISIONS TO:

(1) ALL OF THE PHARMACIES IN THIS STATE;

(2) ALL AUTHORIZED PRESCRIBERS IN THIS STATE; AND

(3) ANY OTHER PERSON WHOM IT CONSIDERS APPROPRIATE.

(F) PUBLIC EDUCATION; MONITORING OF IMPLEMENTATION.

THE DEPARTMENT SHALL:

(1) ASSESS THE NEED FOR PUBLIC EDUCATION REGARDING THE PROVISIONS OF THIS SECTION;

(2) PROVIDE WHATEVER PUBLIC EDUCATION REGARDING THE PROVISIONS OF THIS SECTION THAT IT CONSIDERS APPROPRIATE; AND

(3) MONITOR PERIODICALLY THE EFFECTS OF THIS SECTION.

(G) EFFECT ON LIABILITY.

A PHARMACIST WHO SUBSTITUTES A DRUG PRODUCT IN COMPLIANCE WITH THIS SECTION INCURS NO GREATER LIABILITY IN FILLING THE PRESCRIPTION BY DISPENSING THE EQUIVALENT DRUG