



Compliance Alert

February 27, 2008

Express Scripts Formulary Update –Fosamax® Tablets Emerging Therapeutics

Updated: February 13, 2008

On February 6, 2008, the U.S. Food and Drug Administration (FDA) approved AB-rated generics to Merck's Fosamax (alendronate) tablets, a product used for the treatment and prevention of osteoporosis. Generics to Fosamax plus D and Fosamax oral solution are not available and are not included in this formulary change announcement.

Now that generics are established in the marketplace, Express Scripts will enact a procedure that will result in the removal of the brand Fosamax tablets from Express Scripts formularies, replacing them with generic alendronate tablets. This procedure is being enacted because Fosamax is marked with an '*' on the formularies, indicating a potential conversion to non-formulary status with the availability of generics.

Take-Away Points

- Generic alendronate tablets are AB-rated generics to Fosamax® tablets and are now available in the marketplace.
- The brand-name product, Fosamax tablets, will be converted to non-formulary status on March 15, 2008.
- This procedure is being enacted because Fosamax is marked with an '*' on the formularies, indicating a potential for conversion to non-formulary status with the availability of generics.
- Fosamax plus D and Fosamax oral solution will remain formulary since generics are not available at this time.

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In addition to Fosamax, several other drugs are scheduled to lose patent protection in 2008. The drugs listed in the table below will also be designated as “non-formulary” when generics are established in the market. However, keep in mind that although a key drug patent expires, generic products are not always readily available. There are many issues that may delay their availability, including litigation, patent settlements, final approval from FDA, and additional patents and granted exclusivities.

Drug – Therapeutic Class – Patent Expiration

Allegra-D® (fexofenadine/pseudoephedrine – sanofi-aventis) Allergies	Litigation
CiproDex (ciprofloxacin/dexamethasone Otic – Alcon) Infection	Expired*
Concerta® (methylphenidate, e.r. – McNeil PPC) ADHD	Litigation
Cosopt (dorzolamide/timolol – Merck) Glaucoma	October 28, 2008
Depakote (divalproex – Abbott) Seizures	July 29, 2008
Dynacirc CR (isradipine e.r. – Reliant) Blood Pressure	July 9, 2008
Imitrex (sumatriptan – GlaxoSmithKline) Migraines	4 th Quarter 2008
Lamictal (lamotrigine – GlaxoSmithKline) Seizures	2 nd half of 2008
Metadate CD® (methylphenidate e.r. – UCB) ADHD	Litigation
Ortho Tri-Cyclen Lo (norgestimate/EE – J&J) Oral contraceptive	Litigation
Protopic (tacrolimus topical – Astellas) Atopic dermatitis	April 8, 2008
Risperdal (risperidone – Johnson & Johnson) Antipsychotic	June 29, 2008
Trusopt (dorzolamide – Merck) Glaucoma	October 28, 2008
Wellbutrin XL 150 mg (bupropion e.r. – GlaxoSmithKline) Depression	2008

Generics not yet available

This communication is not intended to be legal advice and should not be construed as legal advice. If you have any legal questions or concerns about your plan, GBS recommends seeking counsel from an ERISA attorney.

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