



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0864/1
MPG:ahe&wlj

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 364**

October 21, 2015 – Offered by Representative NYGREN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 22: after that line insert:

3 “**SECTION 7m.** 961.385 (1) (b) of the statutes, as created by 2015 Wisconsin Act
4 55, is amended to read:

5 961.385 (1) (b) “Prescription order” means an order transmitted orally,
6 electronically, or in writing by a practitioner or a veterinarian licensed under ch. 89
7 for a monitored prescription drug for a particular patient.”.

8 **2.** Page 5, line 2: delete “or”.

9 **3.** Page 5, line 2: delete “(b)” and substitute “(b), or individual authorized
10 under s. 457.02 (5m) to treat alcohol or substance dependency or abuse as a
11 specialty”.

12 **4.** Page 5, line 4: on lines 4, 6 and 14, delete “or substance abuse counselor”
13 and substitute “substance abuse counselor, or individual”.

1 **5.** Page 5, line 12: delete “or substance abuse counselor” and substitute
2 “substance abuse counselor, or individual authorized under s. 457.02 (5m) to treat
3 alcohol or substance dependency or abuse as a specialty”.

4 **6.** Page 5, line 17: delete “or”.

5 **7.** Page 5, line 18: delete “counselor” and substitute “counselor, or individual”.

6 **8.** Page 6, line 8: after “(cs)” insert “1.”.

7 **9.** Page 6, line 9: after “patient.” insert “This subdivision does not apply after
8 3 years after the effective date of this subdivision [LRB inserts date].”.

9 **10.** Page 6, line 9: after that line insert:

10 “2. The requirement under subd. 1. that a practitioner review a patient’s
11 records under the program before the practitioner issues a prescription order for the
12 patient does not apply if any of the following is true:

13 a. The patient is receiving hospice care, as defined in s. 50.94 (1) (a).

14 b. The prescription order is for a number of doses that is intended to last the
15 patient 3 days or less and is not subject to refill.

16 c. The monitored prescription drug is lawfully administered to the patient.

17 d. Due to emergency, it is not possible for the practitioner to review the patient’s
18 records under the program before the practitioner issues a prescription order for the
19 patient.

20 e. The practitioner is unable to review the patient’s records under the program
21 because the digital platform for the program is not operational or due to other
22 technological failure if the practitioner reports that failure to the board.”.

23 **11.** Page 7, line 6: delete lines 6 and 7 and substitute:

