

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB1)**

Received: **03/13/2002**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Judy**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Regulation of gifts given by drug manufacturers and distributors

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**Instructions:**

Draft AB 750 as an amendment to the JCF sub.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 03/13/2002	jdye 03/13/2002	jfrantze 03/14/2002	_____	lrb_docadmin 03/14/2002	lrb_docadmin 03/14/2002	

FE Sent For:

<END>

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1?	rkite	1 3/13 jlc	3/14	3/14			

FE Sent For:

<END>

2001

Date (time) needed soon

RMR

LRB b 2583, 1

BUDGET AMENDMENT

RNK: jld:

NOT FOR COMPILE

See form AMENDMENTS — COMPONENTS & ITEMS.

January 2002 SPECIAL SESSION AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 ASSEMBLY BILL 1

At the locations indicated, amend the substitute amendment as follows:

#. Page 216, line 5..: after that line insert:

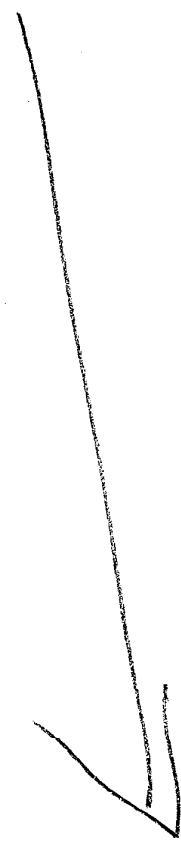
~~#. Page ....., line .....~~

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# 2001 ASSEMBLY BILL 750

January 28, 2002 - Introduced by Representatives SCHNEIDER, UNDERHEIM, MILLER and J. LEHMAN. Referred to Committee on Health.

1 AN ACT *to create* 450.087 of the statutes; **relating to:** gifts given or offered by  
2 prescription drug manufacturers and distributors to encourage practitioners to  
3 prescribe certain drugs and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits any person who manufactures or distributes prescription drugs (manufacturer) in this state from giving, or offering to give, anything of monetary value to any practitioner to encourage the practitioner to issue prescriptions for that manufacturer's drugs. Current law defines a practitioner to mean any person who is licensed in this state to prescribe and administer drugs or who is licensed in another state and recognized by this state to prescribe and administer drugs. The prohibition created under the bill does not apply to gifts given or offers made by a manufacturer to a practitioner who is a relative of that manufacturer or to product samples given by a manufacturer to a practitioner for delivery to a patient.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 (c) SECTION ~~13~~<sup>466m.</sup> 450.087 of the statutes is created to read: ✓  
5 **450.087. Prohibited practices.** (1) In this section "relative" has the meaning  
6 given under s. 13.62 (12g). ✓

ASSEMBLY BILL 750

1 (2) (a) Except as provided in par. (b), no manufacturer or distributor may give,  
2 or offer to give, anything of monetary value to any practitioner to encourage that  
3 practitioner to issue prescription orders for a drug manufactured or distributed by  
4 that manufacturer or distributor.

5 (b) Paragraph (a) does not apply to any of the following:

6 1. Gifts given or offers made by a manufacturer or distributor to a practitioner  
7 who is a relative of the manufacturer or distributor.

8 2. Product samples given by a manufacture<sup>r</sup> or distributor to a practitioner for  
9 delivery to a patient.

10 (3) Any person who violates sub. (2) shall be fined not more than \$10,000 for  
11 each violation. Each act of ~~providing~~ <sup>giving or offering to give</sup> something of monetary value to a practitioner  
12 in violation of sub. (2) constitutes a separate offense. •

13 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2583/1dn

RNK:.....

JLD

Please note that this amendment draft incorporates not only AB<sup>7</sup>750, as requested but also assembly amendment 1 to that bill, which made only technical changes to AB<sup>7</sup>750. If this is not consistent with your intent, please let me know.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2583/1dn  
RNK:jld:jf

March 14, 2002

Please note that this amendment draft incorporates not only AB-750, as requested but also Assembly amendment 1 to that bill, which made only technical changes to AB-750. If this is not consistent with your intent, please let me know.

Robin N. Kite  
Legislative Attorney  
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