

2001 DRAFTING REQUEST

Senate Amendment (SA-SB237)

Received: 09/26/2001

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie Laundrie (aide)

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Addl. Drafters:

Subject: Health - miscellaneous

Extra Copies: MDK

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting pharmacies from revealing identification of patient's health care provider

Instructions:

See Attached

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>
/?	kenneda 09/30/2001	wjackson 10/01/2001					
/1			pgreensl 10/01/2001		lrb_docadmin 10/01/2001	lrb_docadmin 10/01/2001	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Amendment (SA-SB237)

Received: 09/26/2001

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie Laundrie (aide)**

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

Drafter: **kenneda**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies: **MDK**

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting pharmacies from revealing identification of patient's health care provider

Instructions:

See Attached

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/?	kenneda	1 WLj 10/1	19 /1 P8	_____	_____	_____	_____

FE Sent For:

<END>

Kennedy, Debora

From: Laundrie, Julie
Sent: Wednesday, September 26, 2001 1:24 PM
To: Kennedy, Debora
Cc: Sweet, Richard; Schmidt, Dan
Subject: FW: SB237 changes

Deborah,

Senator Erpenbach will need a floor amendment for Senate Bill 237. We are unfortunately under a very tight time line on this. Thank you, please call me, Dick Sweet or Dan Schmidt with questions.

Julie
Office of Senator Jon Erpenbach

-----Original Message-----

From: Sweet, Richard
Sent: Wednesday, September 26, 2001 1:10 PM
To: Laundrie, Julie
Cc: Schmidt, Dan
Subject: SB237 changes

Julie,

I took a stab at some language to accomplish what we discussed this morning regarding SB237:

- ✓ 1. On page 2, line 17, you might want to replace the underlined language with the following--"identification of the practioner, as defined in s. 450.01(17), who prescribed a drug."
- ✓ 2. Section 146.82(2)(a)3. would be amended to read--"3. To the extent that the records are needed for billing, collection or payment of claims. No recipient of records under this subsection may use the information in the records to market any health care service or product to a patient or health care provider."
3. A new subsection would be created in s. 146.84, specifying that either the AG or a DA could bring an action for violations. Some suggested language:

146.84(5) ENFORCEMENT. The department of justice or a district attorney may bring an action for enforcement of sub. (2) or to enjoin a violation of sub. (2).

Let me know if you have any questions.

Dick Sweet
Senior Staff Attorney
Wisconsin Legislative Council
(608)266-2982
richard.sweet@legis.state.wi.us

DAK called - This is needed by 10/2/01

2001

Date (time) needed

MONDAY 10/1

LRBa 0686/1

AMENDMENT

DAK: WLJ:

See form AMENDMENTS — COMPONENTS & ITEMS.

(S) & AMENDMENT

~~TO S A AMENDMENT (LRBa 12)~~

~~TO S A SUBSTITUTE AMENDMENT (LRBs 12)~~

TO 2001 (SB) ~~SJR SR AB AJR AR~~ 237 (LRB-2 12)

At the locations indicated, amend the bill as follows:
(fill ONLY if "engrossed ..." or "as shown by")

#. Page 2., line 11.: after that line insert:

#. Page, line

#. Page, line

#. Page, line

#. Page, line

FRZ
2m
Section 146.82 (2) (a) 3. of the statutes is amended to read:

146.82 (2) (a) 3. To the extent that the records are needed for billing, collection or payment of claims.

History: 1979 c. 221; 1983 a. 398; 1985 a. 29, 241, 332, 340; 1987 a. 40, 70, 127, 215, 233, 380, 399; 1989 a. 31, 102, 334, 336; 1991 a. 39; 1993 a. 16, 27, 445, 479; 1995 a. 98, 169, 417; 1997 a. 35, 114, 231, 272, 292, 305; 1999 a. 32, 78, 83, 114, 151; s. 13.93 (1) (b).

No
ff

No recipient of a patient health care record under this subdivision may use the information in the record to market a health care service or product to a patient or health care providers. ✓

↓

✓ #, Page 2, line 17: delete "patient's health care provider" and substitute "practitioner, as defined in s. 450.01 (17)", who prescribed a drug ✓

#, Page 3, line 2: after that line insert:

✓ (15) FRZ
SECTION 4m. CR; 146.84 (5) ✓

146.84 (5) ^(B) ENFORCEMENT. ⁽¹⁵⁾ The department of

justice or a district attorney may bring an action in

the name of the state to enforce sub. (2) ✓ or to restrain

by temporary or permanent } injunction a violation of sub. (2) ✓

D-NOTE

D-NOTE

To Julie Landrie

If you might wish to look at the language of
S. 157.65(2), state., as a model for ^{proposed} S. 140 84(5).

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0686/ldn
DAK:wlj:pg

October 1, 2001

To Julie Laundrie:

You might wish to look at the language of s. 157.65 (2), stats., as a model for proposed s. 146.84 (5).

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us