## 2003 DRAFTING REQUEST

### **Assembly Amendment (AA-AB845)**

Received: 02/25/2004				Received By: dkennedy				
Wanted: As time permits				Identical to LRB:				
For: Gregg Underheim (608) 266-2254					By/Representing: Himself			
This file may be shown to any legislator: NO					Drafter: dkennedy			
May Contact:					Addl. Drafters:			
Subject:	Health	- public health			Extra Copies:	•		
Submit v	ia email: YES							
Requeste	Requester's email: Rep.Underheim@legis.state.wi.us							
Carbon c	opy (CC:) to:							
Pre Top	ic:							
No specif	fic pre topic gi	ven						
Topic:								
Drug mar	nufacturer imn	nunity						
Instructi	ions:			,				
Same as a	a2399/1, excep	ot us term drug	rather than ca	ancer drug lir	ne 4 p. 1			
Drafting	History:							
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	dkennedy 02/25/2004	wjackson 02/25/2004						
/1			rschluet 02/25/2004	4	lnorthro 02/25/2004	Inorthro 02/25/2004		

02/25/2004 05:14:40 PM Page 2

FE Sent For:

<END>

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#### **Assembly Amendment (AA-AB845)**

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Wanted: As time permits

Identical to LRB:

For: Gregg Underheim (608) 266-2254

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

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject:

Health - public health

Extra Copies:

Submit via email: YES

Requester's email:

Rep.Underheim@legis.state.wi.us

Carbon copy (CC:) to:

**Pre Topic:** 

No specific pre topic given

**Topic:** 

Drug manufacturer immunity

**Instructions:** 

Same as a2399/1, except us term drug rather than cancer drug line 4 p. 1

**Drafting History:** 

Vers.

Drafted

Reviewed

\Proofee

**Submitted** 

**Jacketed** 

Required

/?

dkennedy

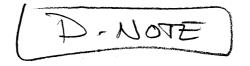
/WL1 2/25

FE Sent For:

<END>

2003 - 2004 LEGISLATURE

2403/1 LRBa<del>2399/1</del> DAK:wli:ra



# ASSEMBLY AMENDMENT, TO 2003 ASSEMBLY BILL 845

At the locations indicated, amend the bill as follows:

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1. Page 3, line 21: delete the material beginning with that line and ending with page 4, line 7, and substitute:

- "(6) (a) Unless the manufacturer of a **thicker** drug or supply exercises bad faith, the manufacturer is not subject to criminal or civil liability for injury, death, or loss to a person or property for matters related to the donation, acceptance, or dispensing of a cancer drug or supply manufactured by the manufacturer that is donated by any person under this section, including liability for failure to transfer or communicate product or consumer information or the expiration date of the donated cancer drug or supply.
- (b) Except as provided in par. (c), any person, except the manufacturer of a target drug or supply, is immune from civil liability for injury to or the death of the individual to whom the cancer drug or supply is dispensed and may not be found

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guilty of unprofessional conduct for his or her acts or omissions related to donating	g
accepting, distributing, or dispensing a cancer drug or supply under this section.	

(c) The immunity or the prohibition on a finding of guilty of unprofessional conduct under par. (a) does not extend to donation, acceptance, distribution, or dispensation of a cancer drug by a person whose act or omission involves reckless, wanton, or intentional misconduct."

(END)



# STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU – LEGAL SECTION (608–266–3561)

D-NOTE
of This amendment takes out "cancer"
on both lines 4 and 12 of page 10
DAK

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa2403/1dn DAK:wlj:rs

February 25, 2004

This amendment takes out "cancer" on both lines 4 and 12 of page 1.

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