SENATE AMENDMENT 5, TO 2005 ASSEMBLY BILL 207

September 27, 2005 – Offered by Senators Erpenbach, Robson, Risser, Carpenter, Miller and Taylor.

At the locations indicated, amend the bill as follows:

1. Page 5, line 22: before that line insert:

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"Section 4r. 111.337 (2) (d) of the statutes is created to read:

111.337 **(2)** (d) To require an employee who is a pharmacist who refuses to participate in, or administer, deliver, or distribute a drug or device the pharmacist believes involves, an activity specified in sub. (1r) (b) 1. to 8., or states an intention to make such a refusal, to, as soon as practicable, inform, orally or in writing, a patient about the refusal, to describe for that patient the activity that is the subject of the refusal, and to make a good faith attempt to transfer or refer that patient to another pharmacist who does not refuse to participate in, or administer, deliver, or distribute a drug or device the pharmacist believes involves, the activity. This paragraph applies only to an activity that is relevant to a patient's condition.".

- **2.** Page 16, line 1: delete "A person" and substitute "Except as provided in sub. (5m), a person".
- **3.** Page 16, line 22: delete "A person" and substitute "Except as provided in sub. (5m), a person".
 - **4.** Page 17, line 14: after that line insert:

"(5m) Subsections (2) and (3) do not apply to a pharmacist who refuses to participate in, or administer, deliver, or distribute a drug or device the pharmacist believes involves, an activity specified in sub. (2) (a) to (h), or states an intention to make such a refusal, unless the pharmacist, as soon as practicable, informs, orally or in writing, any patient of the pharmacist who has a condition for which the activity is relevant about the refusal, describes for each such patient the activity that is the subject of the refusal, and makes a good faith attempt to transfer or refer each such patient to another pharmacist who does not refuse to participate in, or administer, deliver, or distribute a drug or device the pharmacist believes involves, the activity.".

(END)