

2005 DRAFTING REQUEST

Senate Amendment (SA-AB207)

Received: **09/19/2005**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Tryg Knutson**

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

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies:

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:

May require pharmacist employee to inform patient, etc.

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>
/?	csundber 09/26/2005	wjackson 09/26/2005		_____			
/1			jfrantze 09/26/2005	_____	sbasford 09/26/2005	sbasford 09/26/2005	

FE Sent For:

<END>

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/?	csundber	1 wlj 9/26	Jab26	J/ch 9/26			

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SENATE
ASSEMBLY AMENDMENT, ✓
TO 2005 ASSEMBLY BILL 207

BN ✓

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

2 ✓ 1. Page 5, line ²²20 before that line insert:

3 "SECTION ⁴¹¹111.337 (2) ^(d)(c) of the statutes is created to read:

4 111.337 (2) ^(d)(c) To require an employee who is a pharmacist who refuses to

5 participate in, or administer, deliver, or distribute a drug or device the pharmacist

6 believes involves, an activity specified in sub. (1r) (b) 1. to ^{8.}8., or states an intention

7 to make such a refusal, to, as soon as practicable, inform, orally or in writing, a

8 patient about the refusal, to describe for that patient the activity that is the subject

9 of the refusal, and to make a good faith attempt to transfer or refer that patient to

10 another pharmacist who does not refuse to participate in, or administer, deliver, or

11 distribute a drug or device the pharmacist believes involves, the activity. This

12 paragraph applies only to an activity that is relevant to a patient's condition."

1

2. Page 15, line 23: delete "A person" and substitute "Except as provided in sub. (4), a". *(5m) person*

2

3

3. Page 16, line 19: delete "A person" and substitute "Except as provided in sub. (4), a". *(5m) person*

4

5

4. Page 17, line 12: after that line insert:

6

(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."

15

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1025/1dn

CTS: /:....

WJ

Sen. Erpenbach:

This is a Senate version of LRB0735/1. This amendment specifies that it is not employment discrimination to require a pharmacist who refuses to participate in one of the eight activities specified in the bill to inform a patient of the refusal, to describe the activity that is the subject of the refusal, and to make a good faith effort to transfer or refer the patient to a pharmacist who does not refuse to participate in the activity.

Christopher T. Sundberg
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1025/1dn
CTS:wlj:jf

September 26, 2005

Sen. Erpenbach:

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