



**ASSEMBLY AMENDMENT 21,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

June 14, 2011 – Offered by Representatives JORGENSEN, RINGHAND, HINTZ, DOYLE, DANOU, SINICKI, VRUWINK, BERCEAU, POCAN, MILROY, STASKUNAS, YOUNG, BARCA, CLARK, BEWLEY, HEBL, MOLEPSKE JR, POPE-ROBERTS, PASCH, BERNARD SCHABER, E. COGGS and MASON.

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

2 **1.** Page 342, line 3: after that line insert:

3 “SECTION 642d. 20.435 (4) (bv) of the statutes is amended to read:

4 20.435 (4) (bv) *Prescription drug assistance for elderly; aids.* Biennially, the
5 amounts in the schedule for payment to pharmacies and pharmacists under s. 49.688
6 (7) for prescription drug assistance for elderly persons and, if there are moneys
7 remaining after payments to pharmacies and pharmacists, for the purposes under
8 s. 49.688 (13).”

9 **2.** Page 342, line 21: after that line insert:

10 “SECTION 646j. 20.435 (4) (j) of the statutes is amended to read:

11 20.435 (4) (j) *Prescription drug assistance for elderly; manufacturer rebates.*

12 All moneys received from rebate payments by manufacturers under s. 49.688 (6), to

1 be used for payment to pharmacies and pharmacists under s. 49.688 (7) for
2 prescription drug assistance for elderly persons and, if there are moneys remaining
3 after payments to pharmacies and pharmacists, for the purposes under s. 49.688
4 (13).

5 **SECTION 646k.** 20.435 (4) (jb) of the statutes is amended to read:

6 20.435 (4) (jb) *Prescription drug assistance for elderly; enrollment fees.* All
7 moneys received from payment of enrollment fees under s. 49.688 (3), to be used for
8 administration of the program under s. 49.688 and, if there are moneys remaining
9 after paying for program administration, for the purposes under s. 49.688 (13).”

10 **3.** Page 612, line 16: after that line insert:

11 **“SECTION 1481k.** 49.688 (13) of the statutes is created to read:

12 49.688 (13) If there are moneys available in the appropriation accounts under
13 s. 20.435 (4) (bv), (j), or (jb), the department shall use those moneys to reduce
14 enrollment costs for individuals participating in the program under this section, to
15 reduce the prices paid by individuals in the program under this section for
16 prescription drugs, and to enlarge the number of prescription drugs available under
17 the program under this section.”

18 **4.** Page 1454, line 10: after that line insert:

19 **“(9f) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY CONTINUATION.** The department
20 of health services shall request from the federal secretary of health and human
21 services any waiver of federal medicaid laws necessary to permit the department of
22 health services to continue administering the program under section 49.688 of the

1 statutes. The department shall implement any waiver received under this
2 subsection.”.

3 (END)