

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0207/P1dn
MED:eev:jm

January 6, 2014

In this substitute amendment, I combined 2013 AB 446 and 2013 LRB-3360/P2 and did the following:

1. I incorporated changes suggested by DSPS, including eliminating some references to “dispensing” from LRB-3360 (because “delivery” already includes “dispensing”) and providing that the immunity in the bill for delivery and dispensing extends to physicians, physician assistants, and APRN prescribers acting under their normal prescribing and dispensing authority, in addition to the authority granted under the bill.
2. I harmonized the immunity and other provisions between AB 446 and LRB-3360.
3. I added the concept of other opioid antagonists throughout the bill, using essentially the definition provided by the Pharmacy Society of Wisconsin. Note, however, that in the PSW’s definition of opioid antagonist, the word “with” seemed to be missing, which I added. Let me know if this was incorrect. As requested, I retained specific references to naloxone in the provisions pertaining to EMTs, law enforcement officers, and fire fighters.
4. I added language for reporting on the use of naloxone and other opioid antagonists by EMTs and first responders. To better ensure compliance with confidentiality provisions under federal HIPAA law and to better facilitate compilation of these records by DHS, I required DHS to prescribe uniform methods for complying with the recordkeeping requirements. This would also provide time for EMTs to comply with the new requirement because they would be able to wait until DHS prescribed methods and procedures for keeping these records. Please review this language and let me know if any of these provisions do not reflect the intent or if any other changes are needed and I will make the requested changes. I was unable to get in touch with anyone at DHS regarding this language, so you may want to have them review it as well.

Let me know if you would like any other changes to the substitute amendment.

Michael Duchek
Legislative Attorney
Phone: (608) 266-0130
E-mail: michael.duchek@legis.wisconsin.gov