

2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2535/1
DAK:jld:kjf

ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

March 14, 2002 – Offered by Representative ZIEGELBAUER.

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

2 **1.** Page 44, line 6: after that line insert:

3 “**SECTION 140qd.** 49.688 (5) (a) (intro.) of the statutes, as created by 2001
4 Wisconsin Act 16, is amended to read:

5 49.688 (5) (a) (intro.) Beginning on ~~September 1, 2002~~ July 1, 2004, except as
6 provided in sub. (7) (b), as a condition of participation by a pharmacy or pharmacist
7 in the program under s. 49.45, 49.46, or 49.47, the pharmacy or pharmacist may not
8 charge a person who presents a valid prescription order and a card indicating that
9 he or she meets eligibility requirements under sub. (2) an amount for a prescription
10 drug under the order that exceeds the following:

11 **SECTION 140qe.** 49.688 (7) (a) of the statutes, as created by 2001 Wisconsin Act
12 16, is amended to read:

1 49.688 (7) (a) Except as provided in par. (b), from the appropriation accounts
2 under s. 20.435 (4) (bv) and (j), beginning on ~~September 1, 2002~~ July 1, 2004, the
3 department shall, under a schedule that is identical to that used by the department
4 for payment of pharmacy provider claims under medical assistance, provide to
5 pharmacies and pharmacists payments for prescription drugs sold by the
6 pharmacies or pharmacists to persons eligible under sub. (2) who have paid the
7 deductible specified under sub. (3) (b) 1. or 2. or who, under sub. (3) (b) 1., are not
8 required to pay a deductible. The payment for each prescription drug under this
9 paragraph shall be at the program payment rate, minus any copayment paid by the
10 person under sub. (5) (a) 2. or 4., and plus, if applicable, incentive payments that are
11 similar to those provided under s. 49.45 (8v). The department shall devise and
12 distribute a claim form for use by pharmacies and pharmacists under this paragraph
13 and may limit payment under this paragraph to those prescription drugs for which
14 payment claims are submitted by pharmacists or pharmacies directly to the
15 department. The department may apply to the program under this section the same
16 utilization and cost control procedures that apply under rules promulgated by the
17 department to medical assistance under subch. IV of ch. 49.”.

18 **2.** Page 346, line 13: after that line insert:

19 “**SECTION 1160v.** 2001 Wisconsin Act 16, section 9423 (19h) is amended to read:
20 [2001 Wisconsin Act 16] Section 9423 (19h) PRESCRIPTION DRUG ASSISTANCE FOR
21 ELDERLY. The treatment of section 20.435 (4) (bv) of the statutes takes effect on
22 ~~September 1, 2002~~ July 1, 2004.”.

23 **3.** Page 394, line 22: after that line insert:

1 “(19d) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of health
3 and family services under section 20.435 (4) (bv) of the statutes, as affected by the
4 acts of 2001, the dollar amount is decreased by \$49,900,000 for fiscal year 2002–03
5 to decrease funding for the purpose for which the appropriation is made.”.

6

(END)