

SENATE FLOOR AMENDMENT

Third Reading

BY SENATOR Cutter

1 Amend engrossed bill, page 6, line 24, strike "(6) Nothing" and substitute
2 "(6) (a) EXCEPT AS PROVIDED IN SUBSECTION (6)(b) OF THIS SECTION,
3 nothing".

4 Page 7, after line 2 insert:

5 "(b) A MANUFACTURER OF A PRESCRIPTION DRUG THAT IS SUBJECT
6 TO RISK EVALUATION AND MITIGATION STRATEGIES (REMS) IS NOT
7 SUBJECT TO CRIMINAL PROSECUTION OR LIABILITY IN TORT OR OTHER CIVIL
8 ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY FOR
9 MATTERS RELATED TO THE DONATION, ACCEPTANCE, OR DISPENSING OF A
10 REMS DRUG MANUFACTURED BY THE DRUG MANUFACTURER THAT IS
11 DONATED BY ANY PERSON PURSUANT TO THE PROGRAM, INCLUDING
12 LIABILITY FOR FAILURE TO TRANSFER OR COMMUNICATE PRODUCT OR
13 CONSUMER INFORMATION OR THE EXPIRATION DATE OF THE DONATED
14 PRESCRIPTION DRUG."

15 Page 13, line 7, after "MAINTAINED" insert "BY THE DONOR".

16 Page 16, after line 17 insert:

17 "(21) NOTWITHSTANDING SUBSECTION (20) OF THIS SECTION, A
18 MANUFACTURER OF A PRESCRIPTION DRUG THAT IS SUBJECT TO RISK
19 EVALUATION AND MITIGATION STRATEGIES (REMS) IS NOT SUBJECT TO
20 CRIMINAL PROSECUTION OR LIABILITY IN TORT OR OTHER CIVIL ACTION FOR
21 INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY FOR MATTERS RELATED
22 TO THE DONATION, ACCEPTANCE, OR DISPENSING OF A REMS DRUG
23 MANUFACTURED BY THE DRUG MANUFACTURER THAT IS DONATED BY ANY
24 PERSON PURSUANT TO THE PROGRAM, INCLUDING LIABILITY FOR FAILURE
25 TO TRANSFER OR COMMUNICATE PRODUCT OR CONSUMER INFORMATION
26 OR THE EXPIRATION DATE OF THE DONATED PRESCRIPTION DRUG."

27 Renumber succeeding subsection accordingly.

28 Page 18, line 11, strike "(A)" and substitute "(I)".

29 Page 18, line 12, strike "(B)" and substitute "(II)".

30 Page 18, line 13, strike "(C)" and substitute "(III)".

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