

## Amendment No. 195

Assembly Amendment to Assembly Bill No. 66	(BDR 54-562)
<b>Proposed by:</b> Committee on Commerce and Labor	
<b>Amendment Box:</b>	
<b>Resolves Conflicts with:</b> N/A	
<b>Amends:</b> Summary: Yes    Title: Yes    Preamble: No    Joint Sponsorship: No    Digest: Yes	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 1, by deleting “639” and inserting “228”.

Amend section 1, page 2, line 4, by deleting:

*“shall file a report with the Board”* and inserting:

*“licensed pursuant to chapter 639 of NRS shall file a report with the Attorney General’s Office”.*

Amend section 1, page 2, by deleting lines 7 through 9 and inserting:

*“provided, directly or indirectly, to a practitioner, including, without limitation, any physician, hospital, nursing home, pharmacist, administrator of a health care facility or plan or any other person authorized to purchase wholesale, prescribe or dispense prescription drugs in this State, except that the”.*

Amend section 1, page 2, lines 29 and 32, by deleting “**Board.**” and inserting:

*“Attorney General’s Office.”*

MSN/RBL

Date: 4/25/2005

A.B. No. 66—Requires reporting of certain gifts or other economic benefits provided by wholesalers or manufactures regulated by State Board of Pharmacy.

Amend section 1, page 2, line 34, by deleting “**Board**” and inserting:

***“Attorney General’s Office”.***

Amend section 1, page 3, lines 3 and 7, by deleting “**Board**” and inserting:

***“Attorney General’s Office”.***

Amend section 1, page 3, lines 14 and 15, by deleting:

***“is, in addition to any criminal penalty,”*** and inserting ***“is”***.

Amend section 1, page 3, line 16, after “***violation.***” by inserting:

***“The Attorney General may bring a civil action to enforce the provisions of this section.”.***

Amend section 1, page 3, line 22, after “**7.**” by inserting:

***“The Attorney General may adopt such regulations as are necessary and convenient for the enforcement of the provisions of this section, including, without limitation, regulations specifying the form and manner of the report required by this section.***

***8.”.***

Amend the title of the bill to read as follows:

**“AN ACT relating to the Attorney General; requiring certain wholesalers or manufacturers of drugs to report to the Attorney General’s Office certain gifts and other economic benefits provided by the wholesalers or manufacturers to practitioners; providing civil penalties; and providing other matters properly relating thereto.”.**

Amend the summary of the bill to read as follows:

**“SUMMARY—Requires reporting of certain gifts and other economic benefits provided by wholesalers or manufacturers of drugs. (BDR 18-562)”.**

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law prohibits a person from acting as a drug manufacturer or wholesaler unless he has obtained a license from the State Board of Pharmacy. (NRS 639.100, 639.233)

This bill requires drug manufacturers and wholesalers to report annually to the Attorney General's Office the value, nature and purpose of any gift, fee, payment, subsidy or other economic benefit provided to a practitioner licensed to purchase wholesale, prescribe or dispense prescription drugs in the State. Any manufacturer or wholesaler that fails to comply with this reporting requirement is subject to a civil penalty of not more than \$10,000. If a court finds the manufacturer or wholesaler liable for the civil penalty, the court must order the manufacturer or wholesaler also to pay court costs, investigative costs and attorney's fees. The Attorney General is authorized to bring an action to enforce the reporting requirements.

This bill requires the Attorney General's Office to report biennially the information received from drug manufacturers and wholesalers to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.