



Rep. Jack D. Franks

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1 AMENDMENT TO SENATE BILL 509

2 AMENDMENT NO. _____. Amend Senate Bill 509, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 2, as follows:

5 on page 2, line 15, by deleting "either of"; and

6 on page 3, line 23, after "distributor", by inserting "or by an
7 authorized distributor of record that purchased the product
8 directly from the manufacturer or one of these entities"; and

9 on page 4, line 6, after "distributor", by inserting "or from
10 an authorized distributor of record that purchased the product
11 directly from the manufacturer or one of these entities"; and

12 on page 5, line 19, after "drug", by inserting "to a patient";
13 and

1 on page 5, line 23, by deleting "or"; and

2 on page 6, line 1, by replacing "patient." with "patient; or";
3 and

4 on page 6, immediately below line 1, by inserting the
5 following:

6 "(6) an authorized distributor to a pharmacy or other
7 persons licensed to dispense or administer the drug."; and

8 on page 9, line 12, after "pharmacy", by inserting ", mail
9 order pharmacy,"; and

10 on page 9, lines 14 and 15, by replacing "manufacturer or to"
11 with "manufacturer, the originating wholesale distributor,
12 or"; and

13 on page 12, line 9, after "affiliates", by inserting
14 "licensed"; and

15 on page 23, by replacing lines 9 through 12 with the following:

16 "stock, to any crime under the laws of the United States or
17 any state or territory of the United States that is a
18 felony or a misdemeanor, of which an essential element is
19 dishonesty, or any crime that is directly related"; and

1 on page 25, lines 17 and 18, by replacing "processor, and such
2 returns or exchanges," with "processor. Returns or exchanges of
3 prescription drugs, saleable or otherwise,"; and

4 by replacing line 22 on page 27 through line 20 on page 28 with
5 the following:

6 "(a) Each person who is engaged in the wholesale
7 distribution of prescription drugs, including repackagers, but
8 excluding the original manufacturer of the finished form of the
9 prescription drug, that leave or have ever left the normal
10 distribution channel shall, before each wholesale distribution
11 of the drug, provide a pedigree to the person who receives the
12 drug. A retail pharmacy, mail order pharmacy, or chain pharmacy
13 warehouse must comply with the requirements of this Section
14 only if the pharmacy or chain pharmacy warehouse engages in the
15 wholesale distribution of prescription drugs. On or before July
16 1, 2009, the Department shall determine a targeted
17 implementation date for electronic track and trace pedigree
18 technology. This targeted implementation date shall not be
19 sooner than July 1, 2010. Beginning on the date established by
20 the Department, pedigrees may be implemented through an
21 approved and readily available system that electronically
22 tracks and traces the wholesale distribution of each
23 prescription drug starting with the sale by the manufacturer
24 through acquisition and sale by any wholesale distributor and
25 until final sale to a pharmacy or other authorized person

1 administering or dispensing the prescription drug. This
2 electronic tracking system shall be deemed to be readily
3 available only upon there being available a standardized system
4 originating with the manufacturers and capable of being used on
5 a wide scale across the entire pharmaceutical chain, including
6 manufacturers, wholesale distributors, and pharmacies.
7 Consideration must also be given to the large-scale
8 implementation of this technology across the supply chain and
9 the technology must be proven to have no negative impact on the
10 safety and efficacy of the pharmaceutical product."; and

11 on page 31, line 9, by replacing "Section 57" with "Section
12 56".