

March 9, 2003

Madam President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE FLOOR SUBSTITUTE FOR  
HOUSE BILL 248

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 17, strike line 3 in its entirety and insert in lieu thereof "which shall be twenty-four months from the date of the prescription, unless, in the professional opinion of the prescriber, a longer or shorter expiration date is in the best interests of the patient. ".

2. On page 22, line 19, after "place" strike the remainder of the line, strike lines 20 through 25 and on page 23, strike line 1 and insert in lieu thereof the following to read:

"pursuant to the following procedure:

(1) a request for a verification shall be made by the seller to the prescribing licensed optometrist by facsimile, mail or telephone;

(2) if received between 9:00 a.m. and 5:00 p.m. on a working day, the prescribing licensed optometrist shall provide verification to the seller within three working days of receipt;

(3) if not received between 9:00 a.m. and 5:00 p.m. on a working day, the prescribing licensed optometrist shall provide verification to the seller within three working days after 9:00 a.m. of the next working day following receipt;

(4) in any case where the existence of a valid designation by the patient of a seller to act on the patient's behalf is in question, the prescriber shall promptly contact the patient to determine if a designation is in effect. Under no

circumstances shall a non-response to a verification request be deemed to authorize, validate or confirm any prescription; and

(5) as used in this subsection, "working day" means any Saturday or Sunday that the office of the prescribing licensed optometrist is open and Monday through Friday but does not include a holiday. "

- 3. On page 23, line 2, after "who" insert "knowingly".
- 4. On page 23, line 8, after "board" insert "of pharmacy".
- 5. On page 23, line 11, after "board" insert "of pharmacy".
- 6. On page 23, line 16, after "board" insert "of pharmacy".
- 7. On page 23, line 18, after "and" insert "knowingly". ,

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

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Dede Feldman, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Adair, Boitano, Hurt, Komadina

Absent: None