

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 1853

By: Steele, Balkman, Shelton,
Hickman, Jackson, Cox,
Sherrer, Adkins, Auffet,
Brannon, Cooksey, DePue,
DeWitt, Duncan, Hilliard,
Kern, Kiesel, Martin,
McMullen, Morrisette,
Nance, Nations, Peterson
(Ron), Smithson, Terrill
and Thompson of the House

and

Paddack and Adelson of the
Senate

(public health and safety - Rx for Oklahoma Act -
rules - codification -

emergency)

AUTHOR: Add the following Senate Coauthors: Bass, Corn,
Leftwich and Gumm

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting
clause and entire bill and insert

"[public health and safety - Rx for Oklahoma Act -
rules - codification -

emergency]

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5040.2 of Title 74, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Rx for Oklahoma
Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5040.3 of Title 74, unless there
is created a duplication in numbering, reads as follows:

As used in the Rx for Oklahoma Act:

1. "Community action agencies" means agencies designated by the Oklahoma Department of Commerce, pursuant to Section 5038 of Title 74 of the Oklahoma Statutes;

2. "Medically indigent" means a person eligible to receive Medicaid or Medicare or a person who has no health insurance and who otherwise meets the criteria established by the program for the purchase of prescribed medications; and

3. "Prescription drug" means a drug which may be dispensed only upon prescription by a health care professional authorized by the appropriate licensing authority and which is approved for safety and effectiveness as a prescription drug under Section 505 or 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 (1938), 21 U.S.C.A., Section 301).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Subject to the availability of funds, beginning November 1, 2005, various entities and agencies including, but not limited to, community action agencies, the Department of Human Services, and county health departments are authorized to establish a statewide program to assist medically indigent residents of Oklahoma with receiving prescriptions from drug manufacturers through assistance programs.

B. Eligibility for the Rx for Oklahoma Act shall be residents of Oklahoma who:

1. Are medically indigent; or
2. Are not medically indigent but cannot reasonably afford to pay for prescription medications.

C. The Oklahoma Department of Commerce, the Department of Human Services, or the county health departments shall promulgate rules or establish procedures necessary to implement the program established by the Rx for Oklahoma Act.

D. The Oklahoma Department of Commerce shall provide technical assistance to community action agencies who may wish to participate in the program.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the Senate the 25th day of April, 2005.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2005.

Presiding Officer of the House
of Representatives