

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 418

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “terms;” insert “requiring the Department, prior to issuing orders of impoundment, to adopt certain regulations;”.

AMENDMENT NO. 2

On page 3, in line 23, strike “AND”; in line 27, strike the period and substitute a semicolon; and after line 27, insert:

“(III) PROVIDE THE PERMIT HOLDER WITH AN OPPORTUNITY PRIOR TO IMPOUNDMENT TO REVIEW THE NATURE, TYPE, AND AMOUNT OF INFORMATION UPON WHICH THE DEPARTMENT ISSUED THE IMPOUNDMENT ORDER; AND

(IV) PROVIDE THE PERMIT HOLDER WITH AN OPPORTUNITY TO AVOID IMPOUNDMENT BY PROVIDING THE DEPARTMENT WITH INFORMATION UPON WHICH THE DEPARTMENT COULD REASONABLY CONCLUDE THAT THE IMPOUNDMENT IS NOT WARRANTED.”.

AMENDMENT NO. 3

On page 4, after line 7, insert:

“(H) PRIOR TO ISSUING AN ORDER OF IMPOUNDMENT, THE DEPARTMENT, WITH THE APPROVAL OF THE BOARD OF PHARMACY, SHALL DEVELOP REGULATIONS CONCERNING:

(1) THE NATURE, TYPE, AND AMOUNT OF INFORMATION UPON WHICH THE DEPARTMENT MAY RELY TO ISSUE AN ORDER OF IMPOUNDMENT;

(Over)

(2) THE LEVEL OF INVESTIGATION THE DEPARTMENT MUST PURSUE TO VERIFY THE INFORMATION UPON WHICH THE ORDER OF IMPOUNDMENT WAS BASED UNDER SUBSECTION (B)(1)(IV) OR (V) OR (C)(2) OF THIS SECTION; AND

(3) THE MEASURES THE DEPARTMENT MUST PURSUE TO ATTEMPT SERVICE ON THE PERMIT HOLDER OR AUTHORIZED PRESCRIBER PRIOR TO IMPOUNDMENT UNDER SUBSECTION (B) OF THIS SECTION.”.

AMENDMENT NO. 4

On page 4, in lines 8 and 16, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively.