

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 407 be amended to read as follows:

- 1           Page 2, between lines 35 and 36, begin a new paragraph and insert:  
2           "SECTION 2. IC 25-26-13-18.5 IS ADDED TO THE INDIANA  
3           CODE AS A NEW SECTION TO READ AS FOLLOWS  
4           [EFFECTIVE JULY 1, 2012]: **Sec. 18.5. (a) This section applies to a  
5           pharmacy customer who is blind (as defined in IC 12-7-2-21(2)) or  
6           visually impaired (as defined in IC 12-7-2-198(a)).**  
7           **(b) A pharmacy shall post in a conspicuous place in the area  
8           where customers receive legend drugs dispensed by the pharmacy  
9           a single page poster providing customers with notice of the  
10          following information:**  
11          **(1) That federal law requires that a pharmacy ensure that a  
12          customer who is blind or visually impaired is not subject to  
13          discrimination in the availability of visually delivered  
14          information provided by the pharmacy.**  
15          **(2) That a customer who is blind or visually impaired and who  
16          has reasonable grounds to believe that the customer has been  
17          or may be subject to discrimination described in subdivision  
18          (1) may:**  
19          **(A) submit a request to the federal Department of Justice  
20          to institute an investigation into the matter; or**  
21          **(B) institute a private civil action for relief.**  
22          **The poster must include current contact information for the  
23          federal Department of Justice where a customer may obtain  
24          further information and submit a request for an investigation as**

1 described in subdivision (2).

2 (c) A pharmacist or pharmacy technician shall read the  
3 information contained in the notice required by subsection (b) to  
4 a customer described in subsection (a) each time the customer  
5 receives a legend drug dispensed by the pharmacy.

6 (d) A pharmacy shall provide a written copy of the notice  
7 required by subsection (b) to any individual upon request."

8 Renumber all SECTIONS consecutively.

(Reference is to ESB 407 as printed February 24, 2012.)

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Representative Fry C