



HB0818/623227/1

AMENDMENTS PREPARED BY THE DEPT. OF LEGISLATIVE SERVICES <i>Chilson</i>
03 MAR 11 09:43:55

BY: Delegate Kipke  
(To be offered in the Health and Government Operations  
Committee)

AMENDMENTS TO HOUSE BILL 818  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike the second "and"; and in line 11, after "products," insert "and payments for participation in bona fide marketing research."

AMENDMENT NO. 2

On page 2, after line 7, insert:

"(3) "BONA FIDE MARKETING RESEARCH" MEANS THE COLLECTION AND ANALYSIS OF DATA REGARDING OPINIONS, NEEDS, AWARENESS, KNOWLEDGE, VIEWS, AND BEHAVIORS OF A POPULATION THROUGH THE ADMINISTRATION OF SURVEYS, INTERVIEWS, FOCUS GROUPS, POLLS, OBSERVATION, OR OTHER RESEARCH METHODOLOGIES IN WHICH NO SALES, PROMOTIONAL, OR MARKETING EFFORTS ARE INVOLVED AND THROUGH WHICH THERE IS NO ATTEMPT TO INFLUENCE A PARTICIPANT'S ATTITUDES OR BEHAVIOR.";

and in lines 8, 15, and 19, strike "(3)", "(4)", and "(5)", respectively, and substitute "(4)", "(5)", and "(6)", respectively.

On page 3, in lines 3, 16, 19, and 24, strike "(6)", "(7)", "(8)", and "(9)", respectively, and substitute "(7)", "(8)", "(9)", and "(10)", respectively.

On page 6, in line 27, strike "AND"; and in line 32, after "PRODUCT" insert "AND"

(Over)

(14) PAYMENTS TO HEALTH CARE PROFESSIONALS FOR PARTICIPATION IN BONA FIDE MARKETING RESEARCH CONDUCTED BY A THIRD PARTY IF:

- (i) THE PAYMENTS ARE MADE BY THE THIRD PARTY; AND
- (ii) THE SPONSORING MANUFACTURER IS UNAWARE OF THE IDENTITY OF THE PARTICIPATING HEALTH CARE PROFESSIONALS".