



2011 SENATE BILL 317

1 AN ACT *to amend* 450.11 (2), 961.38 (1r) and 961.38 (2) of the statutes; **relating**
2 **to:** electronic prescriptions for schedule II controlled substances.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 450.11 (2) of the statutes is amended to read:

4 450.11 (2) PRESCRIPTION ORDER FILE. Every prescription order shall be filed in
5 a suitable book or file and preserved for at least 5 years. ~~Subject to s. 961.38 (2),~~
6 ~~prescription~~ Prescription orders transmitted electronically may be filed and
7 preserved in electronic format.

8 SECTION 2. 961.38 (1r) of the statutes is amended to read:

9 961.38 (1r) Except when dispensed directly by a practitioner, other than a
10 pharmacy, to an ultimate user, no controlled substance included in schedule II may

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1 be dispensed without the written hard copy or electronic prescription of a
2 practitioner.

3 **SECTION 3.** 961.38 (2) of the statutes is amended to read:

4 961.38 (2) In emergency situations, as defined by rule of the pharmacy
5 examining board, schedule II drugs may be dispensed upon an oral ~~or electronic~~
6 prescription of a practitioner, reduced promptly to ~~writing~~ a written hard copy or
7 electronic record and filed by the pharmacy. Prescriptions shall be retained in
8 conformity with rules of the pharmacy examining board promulgated under s.
9 961.31. No prescription for a schedule II substance may be refilled.

10 (END)