

SENATE BILL 317 (LRB -3373)

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

2011

- 12-06. S. Introduced by Senator **Vukmir**; cosponsored by Representative **Stone**.
- 12-06. S. Read first time and referred to committee on Health 617
- 12-13. S. Public hearing held.

2012

- 02-07. S. Senate amendment 1 offered by Senator Vukmir (**LRB a2267**) 687
- 02-10. S. Executive action taken.
- 02-10. S. Report adoption of Senate Amendment 1 recommended by committee on Health, Ayes 5, Noes 0 697
- 02-10. S. Report passage as amended recommended by committee on Health, Ayes 5, Noes 0 697
- 02-10. S. Available for scheduling.
- 02-20. S. Placed on calendar 2-21-2012 pursuant to Senate Rule 18(1) 720
- 02-21. S. Read a second time 726
- 02-21. S. **Senate amendment 1 adopted** 726
- 02-21. S. Ordered to a third reading 726
- 02-21. S. Rules suspended 726
- 02-21. S. Read a third time and **passed** 726
- 02-21. S. Ordered immediately messaged 727
- 02-22. A. Received from Senate 850
- 02-29. A. Read first time and referred to committee on Rules 864
- 03-02. A. Placed on calendar 3-6-2012 by committee on Rules.
- 03-06. A. Made a special order of business at 11:08 A.M. on 3-13-2012 pursuant to Assembly Resolution 22 894
- 03-13. A. Read a second time.
- 03-13. A. Ordered to a third reading.
- 03-13. A. Rules suspended.
- 03-13. A. Read a third time and **concurred in**.
- 03-13. A. Ordered immediately messaged.
- 03-13. S. Received from Assembly concurred in.

9MB

**2011
ENROLLED BILL**

11en SB-317

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11-337311

Amendments to above (if none, write "NONE"): SA1 - a 2267/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-14-12
Date

J. R. Miller
Enrolling Drafter



2011 SENATE BILL 317

December 6, 2011 – Introduced by Senator VUKMIR, cosponsored by Representative STONE. Referred to Committee on Health.

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

Under current law, controlled substances are divided into five separate schedules, depending on the substance's potential for abuse, whether the substance has a currently accepted and safe medical use, and whether and to what degree the substance leads to physical or psychological dependence. Schedule II substances are those that have a high potential for abuse and may lead to severe physical or psychological dependence, but also have a currently accepted medical use.

Under current law, a drug that is a schedule II substance may be dispensed to a person directly by a practitioner or by a pharmacy with a written prescription by the practitioner or, in the case of an emergency, by a pharmacist who receives an oral or electronic prescription by the practitioner that is promptly reduced to writing and filed by the pharmacist.

Under this bill, a drug that is a schedule II substance may be dispensed by a pharmacy with an electronic prescription by the practitioner in cases that are not emergencies and without the requirement that the prescription be reduced to writing.

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

SENATE BILL 317

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

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

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

7 961.38 (1r) Except when dispensed directly by a practitioner, other than a
8 pharmacy, to an ultimate user, no controlled substance included in schedule II may
9 be dispensed without the written or electronic prescription of a practitioner.

INS. SAI-

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

11 961.38 (2) In emergency situations, as defined by rule of the pharmacy
12 examining board, schedule II drugs may be dispensed upon an oral or electronic
13 prescription of a practitioner, reduced promptly to writing and filed by the pharmacy.
14 Prescriptions shall be retained in conformity with rules of the pharmacy examining
15 board promulgated under s. 961.31. No prescription for a schedule II substance may
16 be refilled.

INS. SAI-2

17 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2267/1
PJH:med:jf

SENATE AMENDMENT 1,
TO 2011 SENATE BILL 317

February 7, 2012 - Offered by Senator VUKMIR.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 9: after "written" insert hard copy.

3 2. Page 2, line 13: delete "writing" and substitute writing a written hard copy
4 or electronic record.

5

(END)

SAI-1

SAI-2