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LRB-1211/1 CMH:amn

2019 SENATE BILL 38

1	AN ACT to create 450.03 (1) (j) of the statutes; relating to: dispensing,
2	distributing, or selling dialysate drugs or devices necessary for providing home
3	peritoneal kidney dialysis.

Analysis by the Legislative Reference Bureau

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

- 4 **Section 1.** 450.03 (1) (j) of the statutes is created to read:
 - 450.03 (1) (j) A person who dispenses, distributes, or sells dialysate drugs or devices necessary for providing home peritoneal kidney dialysis to a patient with end-stage renal disease if all of the following apply:
- 1. The person is licensed under s. 450.07 or 450.071, or is an agent of a person licensed under s. 450.07 or 450.071.
 - 2. The person lawfully holds the dialysate drugs or devices.

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- 3. The dialysate drugs or devices are held and delivered in their original, sealed packaging from the manufacturing facility.
 - 4. The dialysate drugs or devices are delivered only pursuant to a prescription order issued by a licensed physician and only if an order from a licensed pharmacy is transmitted to the person.
 - 5. The dialysate drugs or devices are delivered to one of the following:
- a. A patient with end-stage renal disease or the patient's designee, for the patient to self-administer the dialysis therapy.
 - b. A health care provider or institution, for administration or delivery of the dialysis therapy to a patient with end-stage renal disease.
 - 6. If required by federal law, the dialysate drugs or devices are approved or cleared by the federal food and drug administration.

13 (END)