
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 304

**Assembly Amendment 1,
As Amended**

2019 ASSEMBLY BILL 304

Assembly Bill 304 permits pharmacists to prescribe and dispense hormonal contraceptive patches and self-administered oral hormonal contraceptives to a person who is at least 18 years of age, pursuant to rules promulgated by the Pharmacy Examining Board. The bill specifies a number of requirements that must be included in the board's rules, such as a self-assessment questionnaire and a blood pressure screening.

ASSEMBLY AMENDMENT 1, AS AMENDED

Assembly Amendment 1 ("the amendment") contains two provisions. At the executive session, the Assembly Committee on Health introduced Assembly Amendment 1 to Assembly Amendment 1 ("the amendment to the amendment"), which deleted the second of these provisions.

The first provision, which is **not affected** by the amendment to the amendment, requires the Department of Health Services (DHS) to ensure that any contraceptives, which are covered and reimbursed under Medicaid, are also covered and reimbursed when prescribed by a pharmacist, if a prescription is required under federal law and the pharmacist is acting within his or her scope of practice. DHS is also required to certify pharmacists as Medicaid providers for the purpose of covering and reimbursing these services.

The second provision, which is **deleted** by the amendment to the amendment, relates to private insurance coverage. Currently, state statutes require insurance providers to cover contraceptives prescribed by a "health care provider," as defined in s. 146.81 (1), Stats. This definition includes pharmacists. The amendment states that the coverage requirement applies only if a prescription is required under federal law to obtain a contraceptive. It also specifies that the current requirement for insurance providers to cover outpatient consultations, examinations, procedures, and medical services that are necessary to prescribe, administer, maintain, or remove a contraceptive also applies to any "health care provider," as defined in s. 146.81 (1), Stats.

BILL HISTORY

Representative Kitchens offered Assembly Amendment 1 on October 28, 2019. On October 30, 2019, the Assembly Committee on Health introduced Assembly Amendment 1 to Assembly Amendment 1 on a vote of Ayes, 13; Noes, 1. The committee then recommended: (1) adoption of Assembly Amendment 1 to Assembly Amendment 1 on a vote of Ayes 12; Noes, 2; (2) adoption of Assembly Amendment 1, as amended, on a vote of Ayes 12; Noes, 2; and (3) passage of 2019 Assembly Bill 304, as amended, on a vote of Ayes, 11; Noes, 3.

AB:ksm