

State of Wisconsin



2011 Senate Bill 317

Date of enactment: **March 28, 2012**

Date of publication*: **April 11, 2012**

2011 WISCONSIN ACT 159

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.

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

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

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

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

961.38 (1r) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user,

no controlled substance included in schedule II may be dispensed without the written hard copy or electronic prescription of a practitioner.

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

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

* Section 991.11, WISCONSIN STATUTES 2009-10 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].