



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRBs0454/1  
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**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1997 SENATE BILL 361**

February 10, 1998 – Offered by COMMITTEE ON HEALTH, HUMAN SERVICES, AGING,  
CORRECTIONS, VETERANS AND MILITARY AFFAIRS.

1 **AN ACT** *to amend* 450.01 (1), 450.02 (3) (intro.) and 450.08 (2) (a); *to repeal and*  
2 *recreate* 450.02 (2); and *to create* 450.01 (1) (c), 450.01 (16) (k), 450.01 (22),  
3 450.02 (2m), 450.035 and 450.085 of the statutes; **relating to:** the  
4 administration of drug products and devices by pharmacists, continuing  
5 education for pharmacists and granting rule-making authority.

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

6 **SECTION 1.** 450.01 (1) of the statutes is amended to read:

7 450.01 (1) “Administer” means the direct application of a vaccine or a  
8 prescribed drug or device, whether by injection, ingestion or any other means, to the  
9 body of a patient or research subject by any of the following:

10 (a) A practitioner or his or her authorized agent; ~~or,~~

11 (b) ~~The~~ A patient or research subject at the direction of ~~the~~ a practitioner.

**SECTION 2.** 450.01 (1) (c) of the statutes is created to read:

450.01 (1) (c) A pharmacist.

**SECTION 3.** 450.01 (16) (k) of the statutes is created to read:

450.01 (16) (k) Administering prescribed drug products and devices and, pursuant to vaccination protocols, vaccines.

**SECTION 4.** 450.01 (22) of the statutes is created to read:

450.01 (22) “Vaccination protocol” means a written protocol agreed to by a physician, as defined in s. 448.01 (5), and a pharmacist that establishes procedures and requirements for the administration of a vaccine by a pharmacist for a period specified in the protocol that may not exceed 2 years.

**SECTION 5.** 450.02 (2) of the statutes is repealed and recreated to read:

450.02 (2) The board shall promulgate rules that do all of the following:

(a) Define “active practice of pharmacy” for purposes of s. 450.05.

(b) Establish criteria for approving courses under ss. 450.035 (1) and (2) and 450.085 (1).

(c) Establish requirements and procedures for the administration of a drug product or device, as defined in s. 450.035 (1g), by a pharmacist under s. 450.035 (1r).

**SECTION 6.** 450.02 (2m) of the statutes is created to read:

450.02 (2m) The board shall periodically prepare and distribute letters, bulletins or other types of notice to pharmacists that identify the courses that are approved for purposes of ss. 450.035 (1) and (2) and 450.085 (1).

**SECTION 7.** 450.02 (3) (intro.) of the statutes is amended to read:

450.02 (3) (intro.) The board may ~~adopt~~ promulgate rules:

**SECTION 8.** 450.035 of the statutes is created to read:

**450.035 Administration of drug products and devices; vaccines. (1g)**

In this section, “drug product or device” does not include a vaccine.

**(1r)** A pharmacist may not administer by injection a prescribed drug product or device unless he or she has successfully completed a course of study and training in injection technique conducted by a course provider approved by the American Council on Pharmaceutical Education or the board. A pharmacist may administer a prescribed drug product or device under this subsection only in the course of teaching self-administration techniques to a patient. A pharmacist who administers a prescribed drug product or device under this subsection shall comply with the requirements and procedures established in rules promulgated by the board under s. 450.02 (2) (c).

**(2)** A pharmacist may not administer a vaccine unless he or she has successfully completed 12 hours in a course of study and training, approved by the American Council on Pharmaceutical Education or the board, in vaccination storage, protocols, injection technique, emergency procedures and record keeping. Except for the administration of a vaccine in the course of providing patient services, as specified in s. 448.03 (2) (e), a pharmacist may not administer a vaccine under this subsection to a person who is under the age of 18.

**(2m)** A pharmacist may not delegate to any person any administration of a prescribed drug product or device or vaccine under sub. (1) or (2).

**(3)** A pharmacist who successfully completes a course of study and training specified in sub. (1) or (2) shall maintain proof of completion and, upon request, provide copies of such proof to the department or the board.

**SECTION 9.** 450.08 (2) (a) of the statutes is amended to read:

1           450.08 (2) (a) A pharmacist's license may be renewed by complying with  
2           continuing education requirements under s. 450.085 and paying the applicable fee  
3           specified under s. 440.08 (2) (a) on or before the applicable renewal date specified  
4           under s. 440.08 (2) (a). Failure to obtain renewal within the time period specified  
5           under this paragraph terminates the right of the person to be licensed as a  
6           pharmacist, and such right can only be acquired by passing an examination to the  
7           satisfaction of the board.

8           **SECTION 10.** 450.085 of the statutes is created to read:

9           **450.085 Continuing education.** (1) An applicant for renewal of a license  
10          under s. 450.08 (2) (a) shall submit proof that he or she has completed, within the  
11          2-year period immediately preceding the date of his or her application, 30 hours of  
12          continuing education in courses conducted by a provider that is approved by the  
13          American Council on Pharmaceutical Education or in courses approved by the board.  
14          Courses specified in ss. 450.035 (1) and (2) are courses in continuing education for  
15          purposes of this subsection. This subsection does not apply to an applicant for  
16          renewal of a license that expires on the first renewal date after the date on which the  
17          board initially granted the license.

18          (2) The board may waive all or part of any requirement in sub. (1) if it finds that  
19          exceptional circumstances such as prolonged illness, disability or other similar  
20          circumstances have prevented a pharmacist from meeting the requirement.

21          **SECTION 11. Nonstatutory provisions.**

22          (1) The pharmacy examining board shall submit in proposed form the rules  
23          required under section 450.02 (2) (b) and (c) of the statutes, as affected by this act,  
24          to the legislative council staff under section 227.15 (1) of the statutes no later than  
25          the first day of the 6th month after the effective date of this subsection.

