



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 16
[2005 Assembly Bill 197]

**Repository Program for
Unused Drugs**

2005 Wisconsin Act 16 expands the current cancer drug repository program to include drugs for other chronic diseases.

A law enacted in 2004 established a cancer drug repository program in the Department of Health and Family Services (DHFS). Under the program, persons may donate unused cancer drugs or supplies needed to administer cancer drugs to medical facilities or pharmacies that choose to participate in the program. Donated drugs must be in their original, unopened packaging. DHFS is required to promulgate a number of rules regarding the program, including the maximum handling fee that a medical facility or pharmacy may charge for accepting, distributing, or dispensing donated cancer drugs or supplies. In addition, DHFS must promulgate eligibility criteria for persons to receive donated cancer drugs or supplies, with priority given to persons who are uninsured or indigent.

Act 16 expands the cancer drug repository drug program to also include other chronic diseases. The Act defines the term “chronic disease” as follows:

“Chronic disease” means any disease, illness, impairment, or other physical condition, other than cancer, that requires health care and treatment over a prolonged period and, although amenable to treatment, frequently progresses to increasing disability or death.

In addition, the Act modifies the provision in the statutes that requires DHFS to establish a maximum handling fee that a medical facility or pharmacy may charge under the repository program. Under the Act, the maximum handling fee established by DHFS may not be less than 300% of the dispensing fee under Medical Assistance for a prescription drug.

Effective Date: The Act takes effect on January 1, 2006.

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RNS:tlu

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.