



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2015 Wisconsin Act 291**  
[2015 Assembly Bill 866]

**Prescription Fills and Refills**

2015 Wisconsin Act 291 (the Act) authorizes a pharmacist to exercise his or her professional judgment to dispense an initial fill or a refill of a prescription drug in an amount that varies from the amount indicated on the prescription order. The provisions of the Act do not apply to controlled substances.

The Act places the following restrictions on pharmacists exercising this new authority:

- A pharmacist may not dispense an amount that is more than the total number of dosage units authorized by the prescribing practitioner.
- A pharmacist may not dispense an initial fill or refill in an amount that varies from the amount indicated on the prescription order if the prescribing practitioner has specified in the prescription order that dispensing the drug in an initial amount followed by periodic refills as specified in the prescription order is medically necessary.
- A pharmacist may not dispense more than a 90-day supply of a drug in a single fill or refill.
- A pharmacist may dispense an initial prescription in an amount that varies from the amount indicated in the prescription order only if the pharmacist dispensed that quantity of the drug to the patient in the previous two-year period under an earlier prescription.

*Effective date:* April 1, 2016

*Prepared by:* Mary Matthias, Principal Attorney

April 8, 2016

MM:mcm;ksm

---

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.wisconsin.gov>.