



MIKE ROHRKASTE

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

Testimony on Senate Bill 533 January 30, 2018

Mr. Chairman and committee members, thank you for the opportunity to speak to you today on behalf of Senate Bill 533.

SB 533 is a simple bill that allows pharmacy technicians to provide services that fall within the practice of pharmacy if they do so under the direction, supervision, and inspection of licensed pharmacists, subject to rules promulgated by the Pharmacy Examining Board. The “practice of pharmacy” includes even such basic tasks as counting pills and labeling bottles, many of which are already performed by pharmacy technicians. SB 533 will ensure that state law reflects common practices.

SB 533 will also allow pharmacy technicians, as well as pharmacy students who have completed at least two years of pharmacy studies and pharmacists who are licensed in other states and have pending applications for Wisconsin licensure, to engage in remote dispensing at certain locations, including nursing homes and correctional facilities.

Sen. Jerry Petrowski and I, joined by Sen. Jon Erpenbach and Rep. Deb Kolste, introduced SB 533 in consultation with the Pharmacy Society of Wisconsin. The legislation recognizes common practices that allow pharmacists to make more effective use of their staff and other resources. This legislation also expands practical learning opportunities to eligible pharmacy students. SB 533 has bipartisan support in both the Senate and the Assembly, and the Assembly Committee on Health recommended passage of SB 533’s companion, Assembly Bill 608, earlier this month on a bipartisan vote.

Thank you for your consideration. I will be happy to answer any questions you may have.



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 533 *Delegation of the Practice of Pharmacy* January 30, 2018

Good afternoon, members of the committee, and thank you for the opportunity to provide testimony today on Senate Bill 533, relating to the delegation of the practice of pharmacy.

We were recently alerted to the need for this bill by the Pharmacy Society of Wisconsin, who pointed out a conflict between state statutes and the administrative code. Under current law, no person may engage in the practice of pharmacy unless that person is licensed as a pharmacist. For almost two decades, however, pharmacists and pharmacy technicians have operated under the guidelines of the administrative code, which outlines and limits the role of pharmacy technicians within the pharmacy setting. During this time, pharmacy technicians have worked under the direct supervision of pharmacists and provided valuable assistance in dispensing, compounding, and delivering medications to patients. We believe this is a fair and responsible delegation of duties that provides value and cost-savings to pharmacies and patients alike.

This bill neither expands nor limits the scope of practice for pharmacy technicians, but simply corrects what we view as an oversight in the law, and allows business to continue as usual for both pharmacists and pharmacy technicians.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

29TH SENATE DISTRICT

STATE CAPITOL: P.O. Box 7882 • MADISON, WISCONSIN 53707-7882
SEN.PETROWSKI@LEGIS.WISCONSIN.GOV • TELEPHONE: (608) 266-2502 • FAX: (608) 282-3569



One Voice. One Vision.

Date: January 30, 2018

To: Senator Chris Kapenga, Chairman
Members, Senate Committee on Public Benefits, Licensing and State-Federal Relations

From: Danielle M. Womack, MPH
Director, Public Affairs, Pharmacy Society of Wisconsin

RE: Support of Senate Bill 533

On behalf of the Pharmacy Society of Wisconsin's nearly 4,000 individual members and nearly 600 pharmacy business members, I would like to formally register support of Senate Bill 533.

Pharmacy technicians play a crucial role in pharmacy operations, assisting licensed pharmacists in dispensing, compounding, and delivering medications to patients. Without pharmacy technicians, pharmacies would struggle to provide high-quality, comprehensive care to patients throughout Wisconsin.

In Wisconsin, pharmacy technicians work under licensed pharmacists – technicians are not independently licensed. Administrative rules were promulgated by the Pharmacy Examining Board in 2001 that delineates what a pharmacy technician can and cannot do under the supervision of a pharmacist. At a Pharmacy Examining Board meeting late last year, the Department of Safety and Professional Services legal counsel raised concerns that pharmacists do not have explicit statutory authority to delegate to an unlicensed individual, such as a pharmacy technician. This lack of statutory authority has led to confusion amongst pharmacists as to whether or not they are legally allowed to delegate to pharmacy technicians, as well as whether or not the administrative rules are enforceable.

Senate Bill 533 simply clarifies that pharmacists can delegate the "practice of pharmacy" to unlicensed individuals and that the Pharmacy Examining Board has the authority to write rules relating to this delegation. The bill uses similar language as delegation authority for other healthcare providers and requires that unlicensed persons to whom the practice of pharmacy is delegated must be directed, supervised, and inspected by the delegating pharmacist. This bill will allow pharmacy technicians to continue operating as they have been for decades – it does not expand what pharmacists are currently delegating to pharmacy technicians under the administrative rules.

If this legislation is not enacted, we have significant concerns that pharmacies will be forced to either limit the services a pharmacy is able to provide, which would be harmful to patients, or require licensed pharmacists to complete all of the acts presently delegated to pharmacy technicians, which would have a large economic impact on pharmacies and hospitals. As such, we encourage you to support this legislation.

Thank you.