

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB11)

Received: **04/08/2003**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Insurance claims for dual prescriptions

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 04/08/2003 mkunkel 04/08/2003	kgilfoy 04/08/2003	rschluet 04/08/2003	_____	amentkow 04/08/2003	amentkow 04/08/2003	
/2	phurley 07/14/2003	jdye 07/21/2003	rschluet 07/21/2003	_____	lemery 07/21/2003	lemery 07/21/2003	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/1	phurley 04/08/2003	kgilfoy 04/08/2003	rschluet 04/08/2003	_____	amentkow 04/08/2003	amentkow 04/08/2003	
	mkunkel 04/08/2003	<i>kgilfoy</i>	<i>rschluet</i>	<i>_____</i>			

FE Sent For:

7-21-03

<END>

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Assembly Amendment (AA-AB11)

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Wanted: **As time permits**

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For: **Sheldon Wasserman (608) 266-7671**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies: *MDK*

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Insurance claims for dual prescriptions

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 04/08/2003 mkunkel	<i>1-4/8</i> <i>King</i>		_____			

FE Sent For:

<END>

Kunkel, Mark

From: Hurley, Peggy
Sent: Wednesday, March 05, 2003 11:12 AM
To: Kunkel, Mark
Subject: RE: ab 11 info for tomorrow

Sure, I can take a look at this.

Peggy J. Hurley
Legislative Reference Bureau
100 North Hamilton Street
Madison, Wisconsin 53701-2037
608 266 8906

-----Original Message-----

From: Kunkel, Mark
Sent: Wednesday, March 05, 2003 11:08 AM
To: Hurley, Peggy
Subject: FW: ab 11 info for tomorrow

Do you have the time or inclination to do some fast research today before a meeting tomorrow? Pam isn't here this week and the message below raises a few insurance issues.

-----Original Message-----

From: Osterberg, Sarah
Sent: Wednesday, March 05, 2003 10:35 AM
To: Kunkel, Mark
Subject: ab 11 info for tomorrow

Hi, Mark,

Here are the issues that the Pharmacy Society has raised about AB 11, which will need to be addressed in our meeting at 10:30 tomorrow. Just a heads up.

Sarah

Prescriptions for Sexual Transmitted Diseases

Background

Assembly Bill 11 (AB 11) authored by Representative Wasserman (D-22) allows a physician, physician assistant or advanced practice nurse to prescribe to a patient an antibiotic as a course of therapy for the treatment of chlamydia, gonorrhea and trichomonas for use by a person with whom the patient has had sexual intercourse if the patient states that the person is not allergic to the drug. Such a prescription may be made for no more than two people in one year with whom the patient has had sexual intercourse. Also, a prescription may not be made for a controlled substance. A physician, physician assistant or advanced practice nurse who makes such a prescription may provide the patient with written information about sexually transmitted diseases and their treatment and about the risk of drug allergies. In addition, the physician, physician assistant or advanced practice nurse may request that the patient provide the written information to their sexual partner.

PSW Objections

The PSW Board of Directors has objected to the bill as it is currently drafted for three primary reasons.

Patient safety and the ethical responsibility of a pharmacist

It is the responsibility of the Wisconsin pharmacists to perform a consultation when dispensing a prescription. During the consultation a pharmacist will inquire about possible drug interactions,

allergies and other medical problems that may be adversely affected by the prescription medication. Without the opportunity to talk with the patient a pharmacist could not discuss this information and avoid possible medication errors. Also, because a consultation was not performed the dispensing pharmacist may be subject to disciplinary action before the Pharmacy Examining Board (PEB).

Insurance fraud

Most pharmacies receive payment for dispensing a prescription through a claim filed with an insurance carrier or the carrier's pharmacy benefit manger (PBM). Because the prescription is going to be written for only one patient it is unclear by the legislation how or who is to pay for the second prescription. A pharmacy submitting the second prescription for an individual not enrolled in the insurance plan may be committing insurance fraud.

New Health Insurance Portability and Accessibility Act (HIPAA)

New federal privacy regulations for health care providers referred to as HIPAA go into effect on April 14, 2003. It is unclear to PSW if the dispensing of a prescription medication to an unknown individual is a violation of the federal regulations.

Recommendations

PSW will work with Representative Wasserman in an attempt to resolve these concerns.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Chapter Phar 7

PHARMACY PRACTICE

Phar 7.01	Minimum procedures for compounding and dispensing.	Phar 7.065	Answering machines in pharmacies.
Phar 7.015	Pharmacy technicians.	Phar 7.07	Medication profile record system.
Phar 7.02	Prescription label; name of drug or drug product dispensed.	Phar 7.08	Prescription orders transmitted electronically.
Phar 7.03	Prescription renewal limitations.	Phar 7.09	Automated dispensing systems.
Phar 7.04	Return or exchange of health items.	Phar 7.10	Administration of drug products and devices other than vaccines.
Phar 7.05	Prescription records.		

Phar 7.01 Minimum procedures for compounding and dispensing. (1) Except as provided in sub. (4), a pharmacist or pharmacist-intern who compounds or dispenses according to a prescription order shall follow the procedures described in this rule and other applicable procedures. The pharmacist or pharmacist-intern as directed and supervised by a pharmacist shall:

(a) Receive electronic or oral prescription orders of a prescriber, review all original and renewal prescription orders, whether electronic, written or oral, and determine therapeutic compatibility and legality of the prescription order. The review shall include, when indicated or appropriate, consultation with the prescriber.

(b) Read and interpret a prescriber's directions for use for the purpose of accurately transferring the instructions to the prescription label.

(c) Select, compound, mix, combine, measure, count and otherwise prepare drugs needed to dispense a prescription except that an agent of the pharmacist may procure, measure or count pre-fabricated dosage forms if a pharmacist verifies accuracy of the agent's action.

(d) Make a final check on the accuracy and correctness of the prescription. For all original and renewed prescriptions, the prescription order record shall identify the pharmacist responsible for the prescription.

(e) Give the patient or agent appropriate consultation relative to the prescription except that prescriptions may be delivered by an agent of the pharmacist to a patient's residence if the delivery is accompanied by appropriate directions and an indication that consultation is available by contacting the pharmacist. The consultation requirement applies to original and renewal prescription orders and, except when prescriptions are delivered to a patient's residence, is not satisfied by only offering to provide consultation.

(em) Transfer the prescription to the patient or agent of the patient.

(f) Receive, when required by law and standard professional practice, permission to renew from authorized prescribers, and note on the prescription order, medication profile record or uniformly maintained and readily retrievable document the following information:

1. Date renewed.
2. Name of practitioner authorizing renewal, if different from the original prescriber.
3. Quantity of drug dispensed.
4. Identification of the pharmacist renewing the prescription.

(2) Subsection (1) (d) and (e) does not prohibit institutional pharmacists or community pharmacists serving institutions from receiving prescription orders, dispensing and returning prescription medications consistent with accepted inpatient institutional drug distribution systems. Subsection (1) applies to any institutional pharmacy dispensing to outpatients, including prescriptions for discharged patients.

(3) A pharmacist may supervise no more than one pharmacy intern and 4 pharmacy technicians engaged in compounding and dispensing activities as described in sub. (1), except a higher ratio

may be authorized by the board upon request to and approval by the board of a specific plan describing the manner in which additional interns or pharmacy technicians shall be supervised.

(4) A system for compounding and dispensing not in conformance with subs. (1) to (3) may be used if reviewed and approved by the board.

History: Cr. Register, January, 1983, No. 325, eff. 2-1-83; am. (1) (intro.), (d) and (f) (intro.), Register, August, 1991, No. 428, eff. 9-1-91; am. (1) (e), Register, January, 1996, No. 481, eff. 2-1-96; am. (1) (a), (e), (f) (intro.), (3) and cr. (1) (em), Register, December, 1998, No. 516, eff. 1-1-99; am. (1) (a), Register, November, 1999, No. 527, eff. 12-1-99; am. (3), Register, April, 2001, No. 544, eff. 5-1-01.

Phar 7.015 Pharmacy technicians. (1) As used in this section, "pharmacy technician" means a non-pharmacist or non-pharmacist intern who, under the general supervision of a pharmacist who regularly coordinates, directs and inspects the activities of the pharmacy technician, assists the pharmacist in the technical and nonjudgmental functions related to the practice of pharmacy in the processing of prescription orders and inventory management. "Pharmacy technician" does not include ancillary persons which include, clerks, secretaries, cashiers or delivery persons, who may be present in the pharmacy.

(2) A pharmacist may delegate technical dispensing functions to a pharmacy technician, but only under the general supervision of the pharmacist where the delegated functions are performed. Technical dispensing functions include:

(a) Accepting written or electronic prescription orders of the prescribing practitioner or from the prescribing practitioner's agent.

(b) Accepting original oral prescription orders from the prescribing practitioner or prescribing practitioner's agent, if the conversation is recorded and listened to and verified by the pharmacist prior to dispensing.

(c) Requesting authorization for a refill from the prescribing practitioner.

(d) Accepting oral authorization for a refill from the prescribing practitioner or prescribing practitioner's agent, provided there are no changes to the original prescription order.

(e) Accepting a request from a patient to refill a prescription.

(f) Obtaining and entering patient or prescription data into the patient information system.

(g) Preparing a prescription label.

(h) Retrieving medication from stock, counting or measuring medication, and placing the medication in its final container.

(i) Reconstituting prefabricated dosage forms.

(j) Compounding pharmaceuticals pursuant to written policies and procedures.

(k) Affixing a prescription label to its final container.

(L) Placing ancillary information on the prescription label.

(m) Prepackaging and labeling drugs for dispensing by a pharmacist.

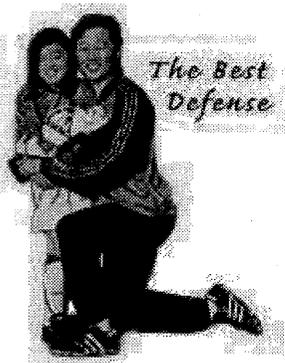
(n) Preparing unit dose carts for final review by a pharmacist.

(o) Retrieving and transporting stock medication to and from pharmacist approved areas.

SAN FRANCISCO HEALTH PLAN

Resources for Providers[Need Health Coverage?](#)[home](#) * [who we are](#) * [what's new](#) * [jobs](#)[Necesita Seguro Médico?](#)[What Providers Should Know](#)[需要醫療保險嗎?](#)[Our Health Programs](#)**SFHP Clinical Guidelines for Chlamydia Screening and Partner Treatment**[Nuestros Planes de Salud](#)**Date Posted: 11 May 2001**[Resources for Providers](#)

With the passage of the Ortiz Law effective January 1, 2001, Providers can now prescribe treatment for unseen Chlamydia infected partners. SFHP will pay for the uninsured partner needing treatment. Below you will find copies of the documents that were sent to you in the beginning of May about this new program.

[Healthcare in San Francisco](#)[Find A Provider](#) [Chlamydia clinic guideline \(36K\) \(5/11/2001\) \[download\]](#)[Provider Secure Login](#) [Guidelines for STDs \(74K\) \(5/11/2001\) \[download\]](#)[CAA Login](#) [Prescriber/Pharmacist Instructions Sheet \(133K\) \(5/11/2001\) \[download\]](#) [Directions for Partners-Spanish \(36K\) \(5/11/2001\) \[download\]](#) [Directions for Partners-English \(35K\) \(5/11/2001\) \[download\]](#) [Directions for Partners-Vietnamese \(51K\) \(5/11/2001\) \[download\]](#) [Directions for Partners-Chinese \(176K\) \(5/11/2001\) \[download\]](#) [Directions for Partners-Russian \(203K\) \(5/11/2001\) \[download\]](#)

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 Member Services: 1 (800) 288-5555

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0432/1
MDK&PJH:.....

kmj

NOTE

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 11

By 404pm

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 3 line 21: after the period insert "The prescription order shall state
3 that the patient is responsible for paying for the antibiotic drug that is prescribed for
4 the person with whom the patient has had sexual intercourse."

5 ✓ 2. Page 5, line 7: after ^{the period} ~~that line~~ insert "A pharmacist may dispense an
6 antibiotic drug under this paragraph without providing a consultation to the person
7 with whom the patient has had sexual intercourse."

8 ✓ 3. Page 5, line ⁸ ~~4~~: ^{before} ~~after~~ that line insert:

9 *text: treat* → "(c) A patient specified in par. (b) is responsible for paying for an antibiotic drug
10 that is dispensed under par. (b). Any insurance claim submitted by a pharmacist for
11 an antibiotic drug dispensed under this subsection shall specify that the antibiotic
12 drug was dispensed for use by a person other than the patient."

13 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0432/1dn

MDK&PJH: King

Representative Wasserman:

Please note the following about this amendment:

1. The amendment allows a pharmacist to dispense a drug without consulting with the person with whom the patient has had sexual intercourse. Therefore, the amendment trumps the ~~requirement~~ in the Pharmacy Board's rules that require consultation with a patient. *provision* (S)

2. The amendment specifies that the patient is responsible for paying for a drug dispensed for a person with whom the patient has had sexual intercourse. Also, the amendment requires any insurance claim that a pharmacist submits for such a drug to specify that the drug is dispensed for a person other than the patient. These changes to the bill are made to respond to the concerns about insurance fraud. Are they okay? (Note that at least one insurer in California provides coverage for such drugs for an uninsured partner of an insured. See San Francisco Health Plan Clinical Guidelines for Chlamydia Screening and Partner Treatment, posted May 11, 2001, at www.sfhp.org.) (I)

3. We understand *that* there is a concern regarding the federal Health Insurance Portability and Accessibility Act. This bill does not interfere with a pharmacist's duties under that act, including any duty to maintain the confidentiality of the patient's medical records, even if the person with whom the patient has had sexual intercourse requests those records. In addition, because the federal act likely preempts state law on this issue, we don't think that it is advisable for the amendment to address this issue. If you have any specific concerns about this issue, please let us know.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0432/1dn
MDK&PJH:kmg:rs

April 8, 2003

Representative Wasserman:

Please note the following about this amendment:

1. The amendment allows a pharmacist to dispense a drug without consulting with the person with whom the patient has had sexual intercourse. Therefore, the amendment trumps the provision in the Pharmacy Board's rules that requires consultation with a patient.
2. The amendment specifies that the patient is responsible for paying for a drug dispensed for a person with whom the patient has had sexual intercourse. Also, the amendment requires any insurance claim that a pharmacist submits for such a drug to specify that the drug is dispensed for a person other than the patient. These changes to the bill are made to respond to the concerns about insurance fraud. Are they okay? (Note that at least one insurer in California provides coverage for such drugs for an uninsured partner of an insured. See *San Francisco Health Plan Clinical Guidelines for Chlamydia Screening and Partner Treatment*, posted May 11, 2001, at www.sfhp.org.)
3. We understand that there is a concern regarding the federal Health Insurance Portability and Accessibility Act. This bill does not interfere with a pharmacist's duties under that act, including any duty to maintain the confidentiality of the patient's medical records, even if the person with whom the patient has had sexual intercourse requests those records. In addition, because the federal act likely preempts state law on this issue, we don't think that it is advisable for the amendment to address this issue. If you have any specific concerns about this issue, please let us know.

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Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.state.wi.us

Kunkel, Mark

From: Osterberg, Sarah
Sent: Tuesday, June 10, 2003 12:34 PM
To: Kunkel, Mark; Hurley, Peggy
Subject: ab 11 amendment changes, at long last...REVISED

Ok, so cutting and pasting is not always a good idea. My revised email is below. Sorry for any confusion.

Hi, Mark and Peggy,

I finally received clarification on my email of May 15 to the PEB on AB 11, regarding the suggestions that came about in its April meeting on the subject. Here are the changes that need to be made, which can be added to the amendment you initially drafted to the bill (lrb a0432/1).

Under pharmacy rules a pharmacist is allowed to write out a prescription for (any) agent of a patient, but under the bill a prescription can only be dispensed to the patient who saw the M.D. Chapter 450 should be linked to Chapter 146 (transmission of confidential info) to explicitly specify that the pharmacist is not liable in dispensing a prescription to the patient or an agent of the patient (the M.D. would take sole responsibility for the patient and the patient's partner).

There were also concerns voiced about HIPAA in that the bill may "turn the partner into a non-patient" because there is no way to keep a record on this person. I believe that you both verbally addressed this issue when we met with Tom and me in March to develop the amendment to the legislation. If your opinions still stand on this, there is no need to pursue it in the amendment.

Thanks for your assistance.

Sarah

06/10/2003

2003 ASSEMBLY BILL 11

January 28, 2003 – Introduced by Representatives WASSERMAN, HINES, SERATTI, MUSSER, BERCEAU, GRONEMUS, HUBER, LASSA, J. LEHMAN, MILLER, PLOUFF, POCAN, RICHARDS, SINICKI and YOUNG, cosponsored by Senator RISSER. Referred to Committee on Health.

1 **AN ACT to amend** 441.07 (1) (d), 448.015 (4), 448.04 (1) (a), 450.10 (1) (a) (intro.)
2 and 450.11 (1); and **to create** 46.03 (44), 441.16 (3m), 448.035 and 450.11 (1g)
3 of the statutes; **relating to:** prescriptions for antibiotic drugs for treatment of
4 chlamydia, gonorrhea, or trichomonas and requiring the exercise of
5 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill allows a physician, physician assistant, or advanced practice nurse to prescribe to a patient an antibiotic drug as a course of therapy for the treatment of chlamydia, gonorrhea, or trichomonas for use by a person with whom the patient has had sexual intercourse if the patient states that the person is not allergic to the drug. Such a prescription may be made for no more than two people in one year with whom the patient has had sexual intercourse. Also, such a prescription may not be made for a controlled substance.

A physician, physician assistant, or advanced practice nurse who makes such a prescription may provide the patient with written information specified in rules promulgated by the Department of Health and Family Services. The information must include information about sexually transmitted diseases and their treatment and about the risk of drug allergies. In addition, the physician, physician assistant, or advanced practice nurse may request that the patient provide the written information to the person with whom he or she has had sexual intercourse.

ASSEMBLY BILL 11

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 46.03 (44) of the statutes is created to read:

2 46.03 (44) **SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION.** Promulgate
3 a rule specifying the information that a physician, physician assistant, or advanced
4 practice nurse prescriber may provide, in writing, to a patient under s. 448.035 (3)
5 and encourage physicians, physician assistants, and advanced practice nurse
6 prescribers to provide such information to a patient under s. 448.035 (3). The
7 information shall consist of information about sexually transmitted diseases and
8 their treatment and about the risk of drug allergies. The information shall also
9 include a statement advising a person with questions about the information to
10 contact his or her physician or local health department, as defined in s. 250.01 (4).

11 **SECTION 2.** 441.07 (1) (d) of the statutes is amended to read:

12 441.07 (1) (d) **Misconduct or unprofessional conduct.** In this paragraph,
13 “misconduct” and “unprofessional conduct” do not include the prescribing of an
14 antibiotic drug as described in s. 448.035.

15 **SECTION 3.** 441.16 (3m) of the statutes is created to read:

16 441.16 (3m) An advanced practice nurse who is certified under sub. (2) may
17 prescribe an antibiotic drug as described in s. 448.035.

18 **SECTION 4.** 448.015 (4) of the statutes is amended to read:

19 448.015 (4) “Unprofessional conduct” means those acts or attempted acts of
20 commission or omission defined as unprofessional conduct by the board under the
21 authority delegated to the board by s. 15.08 (5) (b) and any act by a physician or

ASSEMBLY BILL 11

1 physician assistant in violation of ch. 450 or 961. “Unprofessional conduct” does not
2 include the prescribing of an antibiotic drug as described in s. 448.035.

3 **SECTION 5.** 448.035 of the statutes is created to read:

4 **448.035 Prescribing certain antibiotic drugs.** (1) In this section:

5 (a) “Advanced practice nurse prescriber” means a nurse who is certified under
6 s. 441.16 (2).

7 (b) “Antibiotic drug” means an antibiotic drug recommended for treatment of
8 chlamydia, gonorrhea, or trichomonas in the most current guidelines for the
9 treatment of sexually transmitted diseases of the federal centers for disease control.

10 (2) Notwithstanding the requirements of s. 448.30, a physician, physician
11 assistant, or advanced practice nurse prescriber may prescribe an antibiotic drug as
12 a course of therapy for treatment of chlamydia, gonorrhea, or trichomonas to a
13 patient for use by a person with whom the patient has had sexual intercourse if the
14 patient states to the physician, physician assistant, or advanced practice nurse
15 prescriber that the person is not allergic to the drug. The prescription order is
16 required to include the name and address of the patient, a statement that indicates
17 that the patient should ask the person with whom the patient has had sexual
18 intercourse whether that person is allergic to the drug, and a statement that
19 indicates that the drug should not be taken by a person who is allergic to the drug.
20 The prescription order is not required to include the name and address of the person
21 with whom the patient has had sexual intercourse. This subsection does not apply
22 to the prescribing of a substance listed in the schedules in ss. 961.14, 961.16, 961.18,
23 961.20, and 961.22 or substances added by the controlled substances board acting
24 under s. 961.11 (1). A physician, physician assistant, or advanced practice nurse

ASSEMBLY BILL 11

1 prescriber may not issue prescriptions under this subsection for more than 2 persons
2 in one year with whom a particular patient has had sexual intercourse.

3 (3) At the time of issuing the prescription under sub. (2), the physician,
4 physician assistant, or advanced practice nurse prescriber may provide the patient,
5 in writing, with information specified by the department of health and family
6 services under s. 46.03 (44) and request that the patient give the information to the
7 person with whom the patient has had sexual intercourse.

8 **SECTION 6.** 448.04 (1) (a) of the statutes is amended to read:

9 448.04 (1) (a) *License to practice medicine and surgery.* A person holding a
10 license to practice medicine and surgery may practice as defined in s. 448.01 (9) and
11 as provided in s. 448.035.

12 **SECTION 7.** 450.10 (1) (a) (intro.) of the statutes is amended to read:

13 450.10 (1) (a) (intro.) In this subsection, “unprofessional conduct” includes any
14 of the following, but ~~is not limited to~~ does not include the dispensing of an antibiotic
15 drug as described in s. 450.11 (1g):

16 **SECTION 8.** 450.11 (1) of the statutes is amended to read:

17 450.11 (1) DISPENSING. No person may dispense any prescribed drug or device
18 except upon the prescription order of a practitioner. All prescription orders shall
19 specify the date of issue, ~~the name and address of the patient,~~ the name and address
20 of the practitioner, the name and quantity of the drug product or device prescribed,
21 directions for the use of the drug product or device and, if the order is written by the
22 practitioner, the signature of the practitioner. Except as provided in s. 448.035 (2),
23 all prescription orders shall also specify the name and address of the patient. Any
24 oral prescription order shall be immediately reduced to writing by the pharmacist
25 and filed according to sub. (2).



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0432/1
MDK&PJH:kmg:rs

2
mr
L+jld

SOON

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 11

#. Page 5, line 7: after "a patient" insert "or an agent of the patient".

1 At the locations indicated, amend the bill as follows:

2 1. Page 3 line 21: after the period insert "The prescription order shall state
3 that the patient is responsible for paying for the antibiotic drug that is prescribed for
4 the person with whom the patient has had sexual intercourse."

5 2. Page 5, line 7: after the period insert "A pharmacist may dispense an
6 antibiotic drug under this paragraph without providing a consultation to the person
7 with whom the patient has had sexual intercourse."

8 3. Page 5, line 8: before that line insert:

9 "(c) A patient specified in par. (b) is responsible for paying for an antibiotic drug
10 that is dispensed under par. (b). Any insurance claim submitted by a pharmacist for
11 an antibiotic drug dispensed under this subsection shall specify that the antibiotic
12 drug was dispensed for use by a person other than the patient."

13

(END)