

BILL HISTORY FOR SENATE BILL 56 (LRB -1573)

An Act to create 450.09 (7m) of the statutes; relating to: dispensing of returned prescription drugs by state prison pharmacies. (FE)

2003

03-05. S. Introduced by Senators S. Fitzgerald, Welch, Schultz, Robson, Moore, Leibham, Carpenter, Lazich and Roessler; cosponsored by Representatives J. Fitzgerald, Wasserman, Albers, Bies, Cullen, Berceau, Gielow, Gottlieb, Hines, Gunderson, Van Roy, Pettis, Jeskewitz, Hahn, Musser, Gronemus, M. Lehman, Loeffelholz, Olsen, Krawczyk, Suder, Plouff, LeMahieu, Vrakas, Lassa, Young, Krug, Ziegelbauer and Van Akkeren.

03-05. S. Read first time and referred to committee on Judiciary, Corrections and Privacy 105

03-19. S. Fiscal estimate received.

04-09. S. Public hearing held.

04-09. S. Fiscal estimate received.

04-09. S. Executive action taken.

04-16. S. Report passage recommended by committee on Judiciary, Corrections and Privacy, Ayes 5, Noes 0

04-16. S. Available for scheduling.

04-30. S. Placed on calendar 5-6-2003 by committee on Senate Organization.

05-06. S. Read a second time 172

05-06. S. Ordered to a third reading 172

05-06. S. Rules suspended 172

05-06. S. Read a third time and passed 172

05-06. S. Ordered immediately messaged 175

05-08. A. Received from Senate 201

05-08. A. Read first time and referred to committee on Health 202

05-27. A. Public hearing held.

05-27. A. Executive action taken.

05-28. A. Report concurrence recommended by committee on Health, Ayes 16, Noes 0 218

05-28. A. Referred to committee on Rules 218

06-04. A. Rules suspended to withdraw from committee on Rules and take up 237

06-04. A. Representative Coggs added as a cosponsor 237

06-04. A. Read a second time 237

06-04. A. Ordered to a third reading 237

06-04. A. Rules suspended 237

06-04. A. Read a third time and concurred in 237

06-04. A. Ordered immediately messaged 237

06-05. S. Received from Assembly concurred in.

**2003
ENROLLED BILL**

03en SB-56

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03 - 159314

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Dispensing of returned prescription drugs by state prison pharmacies

6/25/03
Date

[Signature]
Enrolling Drafter

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2003 SENATE BILL 56

March 5, 2003 - Introduced by Senators S. FITZGERALD, WELCH, SCHULTZ, ROBSON, MOORE, LEIBHAM, CARPENTER, LAZICH and ROESSLER, cosponsored by Representatives J. FITZGERALD, WASSERMAN, ALBERS, BIES, CULLEN, BERCEAU, GIELOW, GOTTLIEB, HINES, GUNDERSON, VAN ROY, PETTIS, JESKEWITZ, HAHN, MUSSER, GRONEMUS, M. LEHMAN, LOEFFELHOLZ, OLSEN, KRAWCZYK, SUDER, PLOUFF, LEMAHIEU, VRAKAS, LASSA, YOUNG, KRUG, ZIEGELBAUER and VAN AKKEREN. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT to create** 450.09 (7m) of the statutes; **relating to:** dispensing of returned
2 prescription drugs by state prison pharmacies.

Analysis by the Legislative Reference Bureau

Under current law, the Pharmacy Examining Board (board) has promulgated a rule regarding returning health items, including prescription drugs, to pharmacies. The rule allows for the return of health items to an inpatient health care facility, but only if the health items are in their original containers and the pharmacist determines that the contents are not adulterated or misbranded. The rule does not apply to prescription drugs that are controlled substances because current federal law generally does not authorize the return of controlled substances to a pharmacy. The rule defines "inpatient health care facility" as a hospital, nursing home, county home, county mental hospital, tuberculosis sanatorium, or similar facility. Certain facilities are excluded from the definition, including prison facilities.

Under this bill, prescription drugs may be returned to pharmacies that primarily serve patients confined in state prisons. The bill specifies that a returned prescription drug may be dispensed to any patient confined in any state prison. The returned prescription drug may be dispensed only if it was never in the possession of the patient to whom it was originally prescribed. In addition, the prescription drug must be returned in its original container and a pharmacist must determine that it has not been adulterated or misbranded. The bill does not affect the prohibition under federal law against returning controlled substances.

