

2007 Senate Bill 409

Date of enactment: **March 31, 2008**

Date of publication\*: **April 14, 2008**

## 2007 WISCONSIN ACT 202

AN ACT *to amend* 450.06 (1); and *to create* 450.062 of the statutes; **relating to:** remote dispensing by pharmacists and granting rule-making authority.

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

**SECTION 1.** 450.06 (1) of the statutes is amended to read:

450.06 (1) ~~No~~ Except as provided in s. 450.062, no pharmacist may dispense at any location in this state that is not licensed as a pharmacy by the board. No person in this state may use or display the title “pharmacy,” “drug-store,” “apothecary,” or any other title, symbol, or insignia having the same or similar meanings, except for a place of practice which is licensed under this section as a pharmacy by the board.

**SECTION 2.** 450.062 of the statutes is created to read:

**450.062 Remote dispensing.** Pursuant to rules promulgated by the board, a pharmacist may dispense at the following locations:

(1) A health care facility under s. 150.84 (2) or a facility identified under s. 980.065.

(2) The office or clinic of a practitioner.

(3) A county jail, rehabilitation facility under s. 59.53 (8), state prison under s. 302.01, or county house of correction under s. 303.16 (1).

(4) A juvenile correctional facility under s. 938.02 (10p), juvenile detention facility under s. 938.02 (10r), residential care center for children and youth under s. 938.02 (15d), secured residential care center for children and youth under s. 938.02 (15g), type 1 juvenile correctional facility under s. 938.02 (19), type 2 residential care center for children and youth under s. 938.02 (19r), or type 2 juvenile correctional facility under s. 938.02 (20).

### **SECTION 3. Nonstatutory provisions.**

(1) VARIANCE PERIOD FOR PROMULGATION OF ADMINISTRATIVE RULES. Notwithstanding section 227.10 (1) of the statutes, for the period before the effective date of the rules promulgated under section 450.062 of the statutes, as created by this act, but ending no later than the first day of the 25th month beginning after the effective date of this act, a pharmacist may dispense at a location not licensed as a pharmacy pursuant to policies and procedures established by the pharmacy examining board.

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\* Section 991.11, WISCONSIN STATUTES 2005–06 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].