

2007 SENATE BILL 409

January 24, 2008 – Introduced by Senators BRESKE, ROESSLER, DARLING, GROTHMAN, S. FITZGERALD, HANSEN, LEHMAN, LAZICH, A. LASEE, PLALE, WIRCH, COWLES, KREITLOW, LASSA and KAPANKE, cosponsored by Representatives MONTGOMERY, MUSSER, SOLETSKI, MURSAU, HAHN, A. OTT, NERISON, HINES, PETROWSKI, NYGREN, TAUCHEN, SEIDEL and MOLEPSKE. Referred to Committee on Health, Human Services, Insurance, and Job Creation.

1 **AN ACT** *to amend* 450.06 (1); and *to create* 450.062 of the statutes; **relating to:**
 2 remote dispensing by pharmacists and authorizing the exercise of rule-making
 3 powers.

Analysis by the Legislative Reference Bureau

Under current law, a pharmacist may only dispense a prescribed drug or device at a pharmacy licensed by the Pharmacy Examining Board (board). This bill authorizes a pharmacist to dispense a prescribed drug or device at a location not licensed as a pharmacy pursuant to rules promulgated by the board.

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

4 **SECTION 1.** 450.06 (1) of the statutes is amended to read:
 5 450.06 (1) ~~No~~ Except as provided in s. 450.062, no pharmacist may dispense
 6 at any location in this state that is not licensed as a pharmacy by the board. No
 7 person in this state may use or display the title “pharmacy,” “drugstore,”
 8 “apothecary,” or any other title, symbol, or insignia having the same or similar

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1 meanings, except for a place of practice which is licensed under this section as a
2 pharmacy by the board.

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

4 **450.062 Remote dispensing.** A pharmacist may dispense at a location not
5 licensed as a pharmacy pursuant to rules promulgated by the board.

6 **SECTION 3. Nonstatutory provisions.**

7 (1) VARIANCE PERIOD FOR PROMULGATION OF ADMINISTRATIVE RULES.

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

14 (END)