



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 409

**Senate Substitute
Amendment 1**

Memo published: February 28, 2008

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Senate Bill 409

2007 Senate Bill 409 provides an exception to the general requirement that pharmacists dispense prescription drugs only at licensed pharmacies. Under the exception created by the bill, a pharmacist may dispense at a location not licensed as a pharmacy pursuant to rules promulgated by the Pharmacy Examining Board.

In addition, the bill provides that notwithstanding the statute that requires agencies to promulgate as a rule each statement of general policy and each statutory interpretation, a pharmacist may dispense at a location not licensed as a pharmacy pursuant to policies and procedures established by the Pharmacy Examining Board. This provision applies for the period before the effective date of the rules required under the bill, but no later than the first day of the 25th month beginning after the effective date of the bill.

Senate Substitute Amendment 1

Senate Substitute Amendment 1 contains the same provisions as the bill, but limits the locations at which remote dispensing may occur to the following locations:

1. A health care facility, as defined in current s. 150.84 (2), Stats. This definition includes a variety of health care facilities, including hospitals, nursing homes, and community-based residential facilities. In addition, the substitute amendment includes specified institutions for persons committed under the statutes dealing with sexually violent persons.
2. The office or clinic of a practitioner. The term “practitioner” is defined in current law as a person licensed in Wisconsin to prescribe and administer drugs or licensed in another state and recognized by Wisconsin as a person authorized to prescribe and administer drugs.
3. A county jail, rehabilitation facility, state prison, or county house of correction.

4. Specified types of juvenile correctional or detention facilities or residential care centers for children and youth.

Legislative History

On February 27, 2007, the Senate Committee on Health, Human Services, Insurance and Job Creation took executive action on the bill. The committee voted to introduce and adopt Senate Substitute Amendment 1 on a vote of Ayes, 7; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 0.

LR:jal