



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 651

**Assembly
Amendment 1**

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Current law regulates wholesale distribution of prescription drugs, which is defined as distribution of a prescription drug to a person other than a consumer or patient. However, there are a number of exceptions to the definition, including the donation or distribution of a prescription drug to the cancer and chronic diseases drug repository established by the Department of Health Services (DHS).

Assembly Bill 651 adds another exclusion to the definition of “wholesale distribution.” The bill excludes donation of drug samples to charitable institutions pursuant to federal regulations.

Assembly Amendment 1 modifies the current cancer and chronic diseases drug repository to eliminate references to “cancer and chronic diseases,” thereby allowing donation of other drugs, with specified exceptions. In addition, the amendment modifies the statute that states that drugs donated to the drug repository established by DHS must bear an expiration date that is later than six months after the date the drug was donated. The amendment changes the six months to 90 days.

Legislative History

The Assembly Committee on Health and Healthcare Reform recommended adoption of Assembly Amendment 1, and passage of the bill as amended, both by votes of Ayes, 13; Noes, 0.

RNS:jal