



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 455

**Senate
Amendment 1**

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The statutes regulate 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).

Senate Bill 455 adds another exclusion to the definition of “wholesale distribution.” The bill excludes donation of drug samples to charitable institutions pursuant to federal regulations.

Senate 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

Senate Amendment 1 was offered by Senators Robson and Sullivan. On February 16, 2010, the Senate adopted the amendment and passed 2009 Senate Bill 455, as amended.

JKR:ksm