



2011 ASSEMBLY BILL 440

December 20, 2011 – Introduced by Representative STONE, cosponsored by Senator VUKMIR. Referred to Committee on Health.

- 1 **AN ACT** *to amend* 450.11 (2), 961.38 (1r) and 961.38 (2) of the statutes; **relating**
2 **to:** electronic prescriptions for schedule II controlled substances.

Analysis by the Legislative Reference Bureau

Under current law, controlled substances are divided into five separate schedules, depending on the substance's potential for abuse, whether the substance has a currently accepted and safe medical use, and whether and to what degree the substance leads to physical or psychological dependence. Schedule II substances are those that have a high potential for abuse and may lead to severe physical or psychological dependence, but also have a currently accepted medical use.

Under current law, a drug that is a schedule II substance may be dispensed to a person directly by a practitioner or by a pharmacy with a written prescription by the practitioner or, in the case of an emergency, by a pharmacist who receives an oral or electronic prescription by the practitioner that is promptly reduced to writing and filed by the pharmacist.

Under this bill, a drug that is a schedule II substance may be dispensed by a pharmacy with an electronic prescription by the practitioner in cases that are not emergencies and without the requirement that the prescription be reduced to writing.

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

