

## State of Misconsin 2011 - 2012 LEGISLATURE



## 2011 ASSEMBLY BILL 245

September 7, 2011 – Introduced by Representatives J. Ott, Stone, Strachota, Spanbauer, Brooks, Pridemore, A. Ott and Kooyenga, cosponsored by Senators Darling, Kedzie and Grothman. Referred to Committee on Colleges and Universities.

AN ACT *to amend* 450.072 (2) (a) of the statutes; **relating to:** procurement of prescription drugs by a faculty member at an institution of higher education for the purpose of lawful research, teaching, or testing.

## Analysis by the Legislative Reference Bureau

Under current law, a manufacturer or wholesale distributor of prescription drugs may not deliver prescription drugs to a person who is not a wholesale distributor licensed by the Pharmacy Examining Board (board), a pharmacy licensed by the board, or a person licensed by the appropriate licensing authority of another state. Also under current law, a manufacturer or wholesale distributor of prescription drugs may not deliver prescription drugs to a person who is not known to the manufacturer or wholesale distributor unless the manufacturer or wholesale distributor verifies with the board or with the appropriate licensing authority in another state that the person is licensed to receive prescription drugs.

This bill authorizes a manufacturer or wholesale distributor of prescription drugs to deliver prescription drugs to a faculty member of a public or private institution of higher education in Wisconsin, including a faculty member who is not known to the manufacturer or wholesale distributor, if that faculty member is obtaining the prescription drugs for the purpose of lawful research, teaching, or testing and not for resale.

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

## **ASSEMBLY BILL 245**

**SECTION 1.** 450.072 (2) (a) of the statutes is amended to read:

450.072 **(2)** (a) A manufacturer or wholesale distributor may not deliver prescription drugs to a person unless the person is licensed under s. 450.071 or 450.06 or by the appropriate licensing authority of another state or unless the person is a faculty member of an institution of higher education, as defined in s. 36.32 (1), and is obtaining the prescription drugs for the purpose of lawful research, teaching, or testing and not for resale. A manufacturer or wholesale distributor may not deliver prescription drugs to a person that is not known to the manufacturer or wholesale distributor unless the manufacturer or wholesale distributor has verified with the board or with the licensing authority of the state in which the person in is located that the person is licensed to receive prescription drugs or unless the person is a faculty member of an institution of higher education, as defined in s. 36.32 (1), and is obtaining the prescription drugs for the purpose of lawful research, teaching, or testing and not for resale.

15 (END)