

2017 Jr7 DRAFTING REQUEST

Bill

For: **John Nygren (608) 266-2343**

Drafter: **mduchek**

By: **Caroline**

Secondary Drafters: **chanaman**

Date: **12/29/2016**

May Contact:

Same as LRB: **-1874**

Submit via email: **YES**

Requester's email: **Rep.Nygren@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Require prescription for codeine cough syrup

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 12/29/2016	anienaja 12/30/2016			
/1	fknepp 1/27/2017		lparisi 1/27/2017	mbarman 2/2/2017	

FE Sent For:

<END>

↳ Not Needed

Jr7

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/1			lparisi 12/30/2016		

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<END>

Duchek, Michael

From: Krause, Caroline
Sent: Thursday, December 29, 2016 11:57 AM
To: Duchek, Michael
Subject: RE: Cough syrup

It looks like we're good as is – the Pharmacy Society brought this to us and we'd like to proceed as currently drafted. Would you mind changing this to introducible form?

Thanks!

Caroline

From: Duchek, Michael
Sent: Thursday, December 29, 2016 10:31 AM
To: Krause, Caroline <Caroline.Krause@legis.wisconsin.gov>
Subject: Cough syrup

Caroline,

I looked at this again. The draft looks OK, but I see we only referred to substances under s. 961.22 (2) (a), which is codeine. It appears, however, that there are other cough syrups with opioids other than codeine. What I found suggests that at least that there may also be cough syrups containing dihydrocodeine (961.22 (2) (b)) and ethylmorphine (961.22 (2) (c)) that are sold.

I think you may want to at least add these too, but I don't have the knowledge to say for sure...

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130

"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...


DRAFTING ATTORNEYS:

PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: MED) (Date: 12 / 29 / 16)


Note: BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR" (exception: companion bills)



 Please transfer the drafting file for
2015 LRB 4933 (For: Rep. / Sen. Nygren)
to the drafting file for

2017 LRB 1325 (For: Rep. / Sen. _____)

- - - OR - - -

 Please copy the drafting file for
2017 LRB _____ / _____ (include the version) (For: Rep. / Sen. _____)
and place it in the drafting file for

2017 LRB _____ (For: Rep. / Sen. _____)

 Are These "Companion Bills" ?? ... Yes No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: _____



State of Wisconsin
2015 - 2016 LEGISLATURE

In 12-29
TODAY

1325/11

LRB-1003/P1
MED&CMH:emw *lawn*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
Xref ✓
Rw ✓

Regen ✓

1 **AN ACT to renumber** 961.38 (4); **to amend** 961.23 (2); and **to create** 961.38 (4)
2 (b) of the statutes; **relating to:** prohibiting certain schedule V controlled
3 substances from being dispensed without a prescription.

Analysis by the Legislative Reference Bureau

Under current law, certain substances are classified as controlled substances, and various requirements, limitations, and prohibitions apply to a controlled substance depending on which of five schedules in which it is included. The strictest restrictions apply to substances included in schedule I, while substances included in schedule V are subject to the least restrictions. Under current law, schedule II, III, and IV controlled substances may not be dispensed (provided) without a prescription. A schedule V controlled substance may be dispensed to a patient without a prescription, subject to various requirements and limitations.

This bill provides that schedule V controlled substances containing the opioid codeine may not be dispensed without a prescription.

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

4 SECTION 1. 961.23 (2) of the statutes is amended to read:
5 X 961.23 (2) They may be sold at retail only by a registered pharmacist or, if the
6 substance is a pseudoephedrine product, by a person who is working under the

1 direction of a registered pharmacist when sold in a retail establishment. This
2 subsection does not apply to a substance governed by s. 961.38 (4) (b).

3 **SECTION 2.** 961.38 (4) of the statutes is renumbered 961.38 (4) (a).

4 **SECTION 3.** 961.38 (4) (b) of the statutes is created to read:

5 >961.38 (4) (b) Except when dispensed directly by a practitioner, other than a
6 pharmacy, to an ultimate user, a substance specified in s. 961.22 (2) (a) shall not be
7 dispensed without a written, oral, or electronic prescription of a practitioner.

8 (END)



Jacket for the Assembly

per Caroline in Nygren's office
(02-02-2017)

-0639

-1323

-1026

-1325

-1328

-1471

-1472

-1473

-1498

-1520

10 Bills

AMB