

2019 DRAFTING REQUEST

Bill

For: **Mike Rohrkaste (608) 266-5719** Drafter: **kpaczusk**
 By: **Matt** Secondary Drafters:
 Date: **11/20/2018** May Contact:
 Same as LRB: **-1209 -1211**

Submit via email: **YES**
 Requester's email: **Rep.Rohrkaste@legis.wisconsin.gov**
 Carbon copy (CC) to: **Konrad.Paczuski@legis.wisconsin.gov**
Michael.duchek@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Exempting manufacturers of home dialysis drugs, supplies, and devices from pharmacy requirements

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 11/29/2018	aernstr 12/4/2018			
/P1	kpaczusk 1/3/2019	aernstr 1/3/2019	dwalker 12/4/2018		
/1			jmurphy 1/3/2019	dwalker 1/4/2019	

FE Sent For:

Not Needed

<END>

Paczuski, Konrad

From: Pulda, Matt <Matt.Pulda@legis.wisconsin.gov>
Sent: Tuesday, November 20, 2018 11:14 AM
To: Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>
Subject: Redraft of AB 1047

Hi, Konrad,

Would you please redraft AB 1047 for introduction in 2019?

Thanks!

Matt Pulda
Legislative Assistant
Office of Rep. Mike Rohrkaste
(608) 266-5719



~~2017 ASSEMBLY BILL 1047~~

INSERT

IN: 11/29/2018
OUT: 12/4/2018

~~March 22, 2018 - Introduced by Representatives ROHRKASTE and BROSTOFF, cosponsored by Senator DARLING. Referred to Committee on Health.~~

gen ✓
sa ✓

1 AN ACT to create 450.03 (1) (i) of the statutes; relating to: dispensing,
2 distributing, or selling dialysate, drugs, or devices necessary for providing
3 home peritoneal kidney dialysis.

Analysis by the Legislative Reference Bureau

This bill exempts persons dispensing, distributing, or selling dialysate, drugs, or devices necessary for providing home peritoneal kidney dialysis to a patient with end-stage renal disease from being required to obtain a pharmacist license. The exemption granted under the bill is subject to certain requirements, as detailed in the bill, including the following: 1) the dialysate, drugs, or devices are delivered in their original, sealed packaging from the manufacturing facility; 2) dispensing occurs only based on receipt of a prescription order issued by a licensed physician; and 3) delivery is made only to a patient with end-stage renal disease, the patient's designee, or a health care provider for administration or delivery to a patient. ✓

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

4 SECTION 1. 450.03 (1) (i) of the statutes is created to read:

ASSEMBLY BILL 1047

1 450.03 (1)(i) A person who dispenses, distributes, or sells dialysate, drugs, or
2 devices necessary for providing home peritoneal kidney dialysis to a patient with
3 end-stage renal disease if all of the following apply:

INS 2-3

- 4 1. If required by federal law, the dialysate, drugs, or devices are approved or
5 cleared by the federal food and drug administration.
- 6 2. The dialysate, drugs, or devices are lawfully held by the manufacturer or the
7 manufacturer's agent.
- 8 3. The manufacturer or the manufacturer's agent holding the dialysate, drugs,
9 or devices under subd. 2. is licensed under s. 450.07 or 450.071.

10 3. 4. The dialysate, drugs, or devices are held and delivered in their original,
11 sealed packaging from the manufacturing facility.

12 4. 5. The dialysate, drugs, or devices are delivered only upon receipt of a
13 prescription order issued by a licensed physician and only if an order from a licensed
14 pharmacy is transmitted to the manufacturer or the manufacturer's agent.

15 5. 6. The dialysate, drugs, or devices are delivered to one of the following:

- 16 a. A patient with end-stage renal disease or the patient's designee, for the
- 17 patient to self-administer the dialysis therapy.
- 18 b. A health care provider or institution, for administration or delivery of the

19 dialysis therapy to a patient with end-stage renal disease.

INS 2-19 a
20

(END)

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0895/P1ins
KP:...

1 INS 2-3

2 1. The person is licensed under s. 450.07 or 450.071, or is an agent of a person
3 licensed under s. 450.07 or 450.071.

4 2. The person lawfully holds the dialysate, drugs, or devices.

5 END INS 2-3

6 INS 2-19

7 6. If required by federal law, the dialysate, drugs, or devices are approved or
8 cleared by the federal food and drug administration.

9 END INS 2-19

Paczuski, Konrad

From: Pulda, Matt <Matt.Pulda@legis.wisconsin.gov>
Sent: Thursday, January 03, 2019 1:36 PM
To: Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>
Cc: Keith, Rachel <Rachel.Keith@legis.wisconsin.gov>
Subject: LRB 0895

Hi, Konrad,

Would you please jacket LRB 0895 (dialysate)? Also, Senator Darling will be the Senate lead, so her office may be in contact with you about a companion.

Thanks!

Matt Pulda
Legislative Assistant
Office of Rep. Mike Rohrkaste
(608) 266-5719



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0895/P1²¹
KP:ahc

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN: 1/3/2019
OUT: 1/3/2019 Please

- 1 AN ACT *to create* 450.03 (1) (j) of the statutes; **relating to:** dispensing,
2 distributing, or selling dialysate, drugs, or devices necessary for providing
3 home peritoneal kidney dialysis.

Analysis by the Legislative Reference Bureau

pursuant to
This bill exempts persons dispensing, distributing, or selling dialysate, drugs, or devices necessary for providing home peritoneal kidney dialysis to a patient with end-stage renal disease from being required to obtain a pharmacist license. The exemption granted under the bill is subject to certain requirements, as detailed in the bill, including the following: 1) the dialysate, drugs, or devices are delivered in their original, sealed packaging from the manufacturing facility; 2) dispensing occurs only based on receipt of a prescription order issued by a licensed physician; and 3) delivery is made only to a patient with end-stage renal disease, the patient's designee, or a health care provider for administration or delivery to a patient.

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

- 4 SECTION 1. 450.03 (1) (j) of the statutes is created to read:

1 450.03 (1) (j) A person who dispenses, distributes, or sells dialysate, drugs, or
2 devices necessary for providing home peritoneal kidney dialysis to a patient with
3 end-stage renal disease if all of the following apply:

4 1. The person is licensed under s. 450.07 or 450.071, or is an agent of a person
5 licensed under s. 450.07 or 450.071.

6 2. The person lawfully holds the dialysate, drugs, or devices.

7 3. The dialysate, drugs, or devices are held and delivered in their original,
8 sealed packaging from the manufacturing facility.

9 4. The dialysate, drugs, or devices are delivered only upon receipt of a
10 prescription order issued by a licensed physician and only if an order from a licensed
11 pharmacy is transmitted to the manufacturer or the manufacturer's agent. ^{person}

12 5. The dialysate, drugs, or devices are delivered to one of the following:

13 a. A patient with end-stage renal disease or the patient's designee, for the
14 patient to self-administer the dialysis therapy.

15 b. A health care provider or institution, for administration or delivery of the
16 dialysis therapy to a patient with end-stage renal disease.

17 6. If required by federal law, the dialysate, drugs, or devices are approved or
18 cleared by the federal food and drug administration.

19 (END)