3

4

5

6

7

8

9

10

11

12

LRBs0253/1 TKK:kjf:jf

ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2007 ASSEMBLY BILL 731

February 6, 2008 - Offered by Representative Montgomery.

AN ACT to amend 450.06 (1); and to create 450.062 of the statutes; relating to:

remote dispensing by pharmacists and granting rule-making authority.

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

SECTION 1. 450.06 (1) of the statutes is amended to read:

450.06 (1) No Except as provided in s. 450.062, no pharmacist may dispense at any location in this state that is not licensed as a pharmacy by the board. No person in this state may use or display the title "pharmacy," "drugstore," "apothecary," or any other title, symbol, or insignia having the same or similar meanings, except for a place of practice which is licensed under this section as a pharmacy by the board.

Section 2. 450.062 of the statutes is created to read:

450.062 Remote dispensing. Pursuant to rules promulgated by the board, a pharmacist may dispense at the following locations:

- (1) A health care facility under s. 150.84 (2) or a facility identified under s. 980.065.
 - (2) The office or clinic of a practitioner.
 - (3) A county jail, rehabilitation facility under s. 59.53 (8), state prison under s. 302.01, or county house of correction under s. 303.16 (1).
 - (4) A juvenile correctional facility under s. 938.02 (10p), juvenile detention facility under s. 938.02 (10r), residential care center for children and youth under s. 938.02 (15d), secured residential care center for children and youth under s. 938.02 (15g), type 1 juvenile correctional facility under s. 938.02 (19), type 2 residential care center for children and youth under s. 938.02 (19r), or type 2 juvenile correctional facility under s. 938.02 (20).

SECTION 3. Nonstatutory provisions.

(1) Variance period for promulgation of administrative rules. Notwithstanding section 227.10 (1) of the statutes, for the period before the effective date of the rules promulgated under section 450.062 of the statutes, as created by this act, but ending no later than the first day of the 25th month beginning after the effective date of this act, a pharmacist may dispense at a location not licensed as a pharmacy pursuant to policies and procedures established by the pharmacy examining board.

(END)