



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 142
[2009 Senate Bill 455]

Donated Drugs

The statutes regulate wholesale distribution of prescription drugs, which is defined as distribution of a prescription drug to a person other than a consumer or patient. However, there are a number of exceptions to the definition, including the donation or distribution of a prescription drug to the cancer and chronic diseases drug repository established by the Department of Health Services (DHS).

Act 142 adds another exclusion to the definition of “wholesale distribution.” The Act excludes donation of drug samples to charitable institutions pursuant to federal regulations.

Act 142 also modifies the current cancer and chronic diseases drug repository to eliminate references to “cancer and chronic diseases,” thereby allowing donation of other drugs, with specified exceptions. In addition, the Act modifies the statute that states that drugs donated to the drug repository established by DHS must bear an expiration date that is later than six months after the date the drug was donated. The Act changes the six months to 90 days.

Effective date: The Act takes effect on March 18, 2010.

Prepared by: Richard Sweet, Senior Staff Attorney

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RNS:jal

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.