



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2011 Assembly Bill 440**

**Assembly Amendment 1**

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A Schedule II controlled substance is a substance that has a high potential for abuse; has a currently accepted medical use in treatment in the United States, or a currently accepted medical use with severe restrictions; and whose abuse may lead to severe psychological or physical dependence.

Currently (except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user), no controlled substance included in Schedule II may be dispensed without the written prescription of a practitioner. However, in emergency situations, as defined by rule of the Pharmacy Examining Board, Schedule II drugs may be dispensed upon oral or electronic prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. No prescription for a Schedule II substance may be refilled.

**2011 Assembly Bill 440** provides that in cases that are not emergencies a Schedule II controlled substance may also be dispensed by a pharmacy with an electronic prescription of the practitioner, without the requirement that the prescription be reduced to writing.

**Assembly Amendment 1** provides that no controlled substance may be dispensed without the *written hard copy* or electronic prescription, rather than the *written* or electronic prescription, of a practitioner.

Assembly Amendment 1 also provides that when a Schedule II controlled substance is dispensed upon an oral prescription in an emergency, the prescription must be reduced promptly to a *written hard copy or electronic record*, rather than reduced promptly to *writing*.

### Legislative History

The Assembly Health Committee took executive action on the bill on February 8, 2012. The committee recommended adoption of Assembly Amendment 1, and recommended passage of the bill, as amended, both on votes of Ayes, 10, Noes, 0.

BTL:ksm