



## 2021 SENATE BILL 149

February 24, 2021 - Introduced by Senators BEWLEY, AGARD, CARPENTER, ERPENBACH, JOHNSON, LARSON, PFAFF, RINGHAND, ROYS, SMITH and WIRCH, cosponsored by Representatives HINTZ, ANDERSON, ANDRACA, BALDEH, BILLINGS, BOWEN, BROSTOFF, CABRERA, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HAYWOOD, HEBL, HESSELBEIN, HONG, MCGUIRE, B. MEYERS, MILROY, MOORE OMOKUNDE, L. MYERS, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, POPE, RIEMER, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, STUBBS, SUBECK, VINING and VRUWINK. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1     **AN ACT** *to renumber and amend* 450.11 (5) (br) 3.; *to amend* 450.11 (5) (br) 2.  
2             *d.*; and *to create* 450.11 (5) (br) 3. b. of the statutes; **relating to:** prescription  
3             order extensions.

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### *Analysis by the Legislative Reference Bureau*

Current law allows a pharmacist to extend a prescription order under certain circumstances in the event that the prescription cannot otherwise be refilled, subject to certain criteria and limitations. However, current law also includes an alternative authorization for a pharmacist to extend a prescription during the public health emergency declared on March 12, 2020, by executive order 72, and for 30 days after the conclusion of that public health emergency. Under this alternative authorization, a pharmacist is exempt from having to contact the prescribing practitioner or his or her office, the pharmacist may extend the prescription by up to a 30-day supply, and certain other requirements also do not apply. The bill provides that this alternative authorization to extend a prescription order also applies beginning on the bill's effective date and continuing until June 30, 2021.

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

4             **SECTION 1.** 450.11 (5) (br) 2. d. of the statutes is amended to read:

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**SECTION 1**

1 450.11 (5) (br) 2. d. A pharmacist may not extend a prescription order under  
2 subd. 1. for a particular patient if a prescription order was previously extended under  
3 subd. 1. for that patient during the applicable period described in subd. 3.

4 **SECTION 2.** 450.11 (5) (br) 3. of the statutes is renumbered 450.11 (5) (br) 3.  
5 (intro.) and amended to read:

6 450.11 (5) (br) 3. (intro.) This paragraph applies only during as follows:

7 a. During the public health emergency declared on March 12, 2020, by  
8 executive order 72, and for 30 days after the conclusion of that public health  
9 emergency. ~~During that time,~~

10 4. While this paragraph applies as specified in subd. 3., it supersedes par. (bm)  
11 to the extent of any conflict.

12 **SECTION 3.** 450.11 (5) (br) 3. b. of the statutes is created to read:

13 450.11 (5) (br) 3. b. During the period beginning on the effective date of this  
14 subd. 3. b. .... [LRB inserts date], and ending on June 30, 2021.

15 (END)