



## 2005 SENATE BILL 405

October 26, 2005 - Introduced by Senators OLSEN, ROESSLER, GROTHMAN, COWLES and A. LASEE, cosponsored by Representatives HINES, PETROWSKI, GIELOW, JESKEWITZ, HAHN, ALBERS, NASS, BERCEAU, LOTHIAN, OTT, SHERIDAN, KRAWCZYK, NERISON, MUSSER, BIES, TOWNSEND, LEHMAN, OWENS, GUNDERSON and SHILLING. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

- 1 **AN ACT to create** 450.02 (3m) of the statutes; **relating to:** powers of the  
2 Pharmacy Examining Board during times of emergency or disaster.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Pharmacy Examining Board (board) enforces statutory requirements and promulgates rules to regulate the practice of pharmacy. Also under current law, the governor has the power to declare a state of emergency for the state or any portion of the state if a public health emergency exists or if there is an emergency resulting from enemy action or a natural or man-made disaster exists. Unless the legislature passes a joint resolution to extend the duration of a state of emergency, a state of emergency resulting from enemy action may not exceed 60 days and an emergency resulting from natural or man-made emergency disaster may not exceed 30 days.

Under this bill, the board may grant a variance to any statutory requirement or rule regarding the practice of pharmacy if it determines that there is an emergency, if a pharmacist requests the variance, and if the board determines that the variance is necessary to protect public health, safety, and welfare. The variance granted by the board may not exceed 90 days, unless the board decides that an extension is necessary.

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

