

State of Wisconsin



2017 Senate Bill 126

Date of enactment:
Date of publication*:

2017 WISCONSIN ACT

AN ACT to repeal 450.09 (3), 450.09 (5) and 450.09 (8) (b); to renumber and amend 450.09 (8) (a); to amend 450.11 (1); and to create 450.11 (1a) of the statutes; relating to: various changes to the pharmacy practice law and modifying rules promulgated by the Pharmacy Examining Board.

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

SECTION 1. 450.09 (3) of the statutes is repealed.

SECTION 2. 450.09 (5) of the statutes is repealed.

SECTION 3. 450.09 (8) (a) of the statutes is renumbered 450.09 (8) and amended to read:

450.09 (8) **PENALTIES.** ~~Except as provided under par. (b), any~~ Any person who violates this section may be assessed a forfeiture of not less than \$25 nor more than \$50 for each separate offense. Each day of violation constitutes a separate offense.

SECTION 4. 450.09 (8) (b) of the statutes is repealed.

SECTION 5. 450.11 (1) of the statutes is amended to read:

450.11 (1) **DISPENSING.** Except as provided in sub. (1i) (b) 2., no person may dispense any prescribed drug or device except upon the prescription order of a practitioner. All prescription orders shall, except as provided in sub. (1a), specify the date of issue, the name and address of the practitioner, the name and quantity of the drug product or device prescribed, directions for the use of the drug product or device, the symptom or purpose for which the drug is being prescribed if required under sub. (4) (a) 8., and, if the order is written by the practitioner, the signature of the practitioner. Except as provided in ss. 118.2925 (3), 255.07 (2), 441.18 (2) (a) 1., 448.035 (2),

and 448.037 (2) (a) 1. and except for standing orders issued under s. 441.18 (2) (a) 2. or 448.037 (2) (a) 2., all prescription orders shall also specify the name and address of the patient. A prescription order issued under s. 118.2925 (3) shall specify the name and address of the school. A prescription order issued under s. 255.07 (2) shall specify the name and address of the authorized entity. Any oral prescription order shall be immediately reduced to writing by the pharmacist and filed according to sub. (2).

SECTION 6. 450.11 (1a) of the statutes is created to read:

450.11 (1a) **CHART ORDERS.** A prescription order entered on the chart or medical record of an inpatient or resident of a health care facility by a practitioner is not required to include the address of the practitioner.

SECTION 7. Phar 1.02 (4m) of the administrative code is amended to read:

Phar 1.02 (4m) "Long term care facility" means a facility for the developmentally disabled or other nursing home has the meaning given in 21 CFR 1300.01.

SECTION 8. Phar 6.06 (title) of the administrative code is repealed and recreated to read:

Phar 6.06 (title) Laws and other references.

SECTION 9. Phar 6.06 (1) (intro.) of the administrative code is renumbered Phar 6.06 (intro.) and amended to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

Phar 6.06 (intro.) The professional service area of a pharmacy shall have equipment of appropriate design and size for the intended pharmacy practice ~~consisting of at least~~ and shall have all of the following equipment:

SECTION 10. Phar 6.06 (1) (a) of the administrative code is repealed.

SECTION 11. Phar 6.06 (1) (b) of the administrative code is repealed.

SECTION 12. Phar 6.06 (1) (c) of the administrative code is repealed.

SECTION 13. Phar 6.06 (1) (d) of the administrative code is repealed.

SECTION 14. Phar 6.06 (1) (e) of the administrative code is repealed.

SECTION 15. Phar 6.06 (1) (f) of the administrative code is repealed.

SECTION 16. Phar 6.06 (1) (g) of the administrative code is repealed.

SECTION 17. Phar 6.06 (1) (h) of the administrative code is repealed.

SECTION 18. Phar 6.06 (1) (i) of the administrative code is repealed.

SECTION 19. Phar 6.06 (1) (j) of the administrative code is renumbered Phar 6.06 (1j).

SECTION 20. Phar 6.06 (1) (k) of the administrative code is renumbered Phar 6.06 (2k).

SECTION 21. Phar 6.06 (1) (L) of the administrative code is renumbered Phar 6.06 (3L).

SECTION 22. Phar 6.06 (2) of the administrative code is repealed.
