

Fiscal Estimate - 2025 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 25-1085/1	Introduction Number AB-0043
Description permitting pharmacists to prescribe certain contraceptives, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a penalty	
Fiscal Effect State: ☐ No State Fiscal Effect ☒ Indeterminate ☐ Increase Existing Appropriations ☐ Decrease Existing Appropriations ☐ Create New Appropriations ☐ Increase Existing Revenues ☐ Decrease Existing Revenues ☐ Increase Costs - May be possible to absorb within agency's budget ☐ Yes ☐ No ☐ Decrease Costs Local: ☐ No Local Government Costs ☐ Indeterminate 1. ☐ Increase Costs 3. ☐ Increase Revenue ☐ Permissive ☐ Mandatory ☐ Permissive ☐ Mandatory 2. ☐ Decrease Costs 4. ☐ Decrease Revenue ☐ Permissive ☐ Mandatory ☐ Permissive ☐ Mandatory 5. Types of Local Government Units Affected ☐ Towns ☐ Counties ☐ School Districts ☐ Village ☐ Others ☐ WTCS Districts ☐ Cities	

Fiscal Estimate Narratives

DHS 2/24/2025

LRB Number	25-1085/1	Introduction Number	AB-0043	Estimate Type	Original
Description permitting pharmacists to prescribe certain contraceptives, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This proposal allows a pharmacist to prescribe and dispense certain types of hormonal contraceptives. Under the bill, the Pharmacy Examining Board after consulting with several agencies, including the Department, is required to promulgate rules to establish procedures for the prescription of contraceptives by pharmacists. In addition, the Department is required to ensure that contraceptives services covered under current prescribing practices are also covered by updated prescribing practices. These responsibilities are estimated to have no fiscal effect for the Department.

Under current law, Medicaid includes a prescription drug benefit, which requires coverage of contraception products that meet federal requirements to be considered a covered outpatient drug. Covered outpatient drugs are those treated as prescribed drugs for the purposes of § 1905(a)(12) of the Social Security Act (42 U.S.C. § 1396d[a][12]) and meet the definition of a covered outpatient drug as found in 42 C.F.R. § 447.502. As of July 1, 2024, under current law at s. 49.46(2)(bh), enacted by 2021 Wisconsin Act 98, Wisconsin Medicaid is required to enroll pharmacists as a provider type and reimburse pharmacists for services provided within the scope of their practice and for services delegated by a physician. Since the implementation of 2021 Act 98, Wisconsin Medicaid has enrolled 423 pharmacists in the program.

The provisions of this bill generally expand Wisconsin pharmacists' scope of practice to include prescribing authority for contraception products and specifically requires the Wisconsin Medicaid program to certify pharmacists as Medicaid service providers who can prescribe hormonal contraceptive patches and self-administered oral hormonal contraceptives and provide Medicaid reimbursement for such services. Medicaid-enrolled pharmacists already have statutory authority to prescribe and dispense Medicaid-eligible contraception products under s. 49.46(2)(bh).

The Department anticipates adding pharmacist prescribing authority for contraceptives would increase Medicaid enrollees' access to these medications; however, the level of increased access is unknown, and therefore the fiscal estimate for this bill, as it relates to Medicaid program costs, is indeterminate.

Long-Range Fiscal Implications