



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4638/1
MED:amn&ahe

2015 SENATE BILL 709

February 9, 2016 – Introduced by Senator VUKMIR, cosponsored by Representatives THIESFELDT and NYGREN. Referred to Committee on Health and Human Services.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to renumber and amend** 450.11 (5); and **to repeal and recreate** 450.11
2 (5) (title) of the statutes; **relating to:** prescription refills.

Analysis by the Legislative Reference Bureau

This bill allows a pharmacist to dispense prescribed drugs in quantities and fills that vary from the quantities and fills specified in a prescribing practitioner's prescription order, unless the prescriber specifies that adherence to the prescription order is medically necessary.

Under current law, no prescription may be renewed except as designated on a prescription order. This bill deletes this provision and instead provides that a pharmacist may exercise his or her professional judgment to dispense varying quantities of the prescribed drug per fill up to the total number of dosage units as authorized by the prescriber in the original prescription including any refills, unless the prescriber has specified in the prescription order that dispensing a prescribed drug in an initial amount followed by periodic refills as specified in the prescription order is medically necessary. The bill does not affect provisions in current law that prohibit or limit refills of controlled substances.

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

3 **SECTION 1.** 450.11 (5) (title) of the statutes is repealed and recreated to read:

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1 450.11 (5) (title) REFILLS.

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

4 450.11 (5) (b) ~~No prescription may be renewed except as designated on the~~
5 ~~prescription order.~~ An accurate record of renewal refill dispensing shall be
6 maintained showing the date and amount.

7 (a) No prescription may be renewed refilled unless the requirements of sub. (1)
8 and, if applicable, sub. (1m) have been met and written, oral, or electronic
9 authorization has been given by the prescribing practitioner. Unless the prescribing
10 practitioner has specified in the prescription order that dispensing a prescribed drug
11 in an initial amount followed by periodic refills as specified in the prescription order
12 is medically necessary, a pharmacist may exercise his or her professional judgment
13 to dispense varying quantities of the prescribed drug per fill up to the total number
14 of dosage units as authorized by the prescribing practitioner in the original
15 prescription order including any refills.

16 (END)