

State of Wisconsin



2015 Assembly Bill 866

Date of enactment: **March 30, 2016**

Date of publication*: **March 31, 2016**

2015 WISCONSIN ACT 291

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

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

SECTION 1. 450.11 (5) (title) of the statutes is repealed and recreated to read:

450.11 (5) (title) INITIAL FILLS AND REFILLS.

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

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

(a) No prescription may be ~~renewed~~ refilled unless the requirements of sub. (1) and, if applicable, sub. (1m) have been met and written, oral, or electronic authorization has been given by the prescribing practitioner. Unless the prescribing practitioner 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, 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 authorized by the prescribing practitioner in the prescription order including any refills, subject to par. (b).

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

450.11 (5) (b) 1. The authority of a pharmacist under par. (a) to dispense varying quantities of a drug applies only with respect to the refills, if any, specified in the prescription order and does not apply with respect to the initial quantity specified in the prescription order, except that a pharmacist may dispense a varying initial quantity of a drug using that authority if such quantity of that drug was previously dispensed to the patient in the previous 2-year period under an earlier prescription.

2. The authority of a pharmacist under par. (a) to dispense varying quantities of a drug does not apply with respect to controlled substances.

3. A pharmacist may not use the authority under par. (a) to dispense varying quantities of a drug to dispense more than a 90-day supply of a drug in a single fill or refill.

* 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."