

**Report From Agency**

**STATE OF WISCONSIN  
PHARMACY EXAMINING BOARD**

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
PHARMACY EXAMINING BOARD : CR 13-076  
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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

None

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

The rule updates the language in the rule to reflect the statutory changes in the language and citations resulting from 2005 Wisconsin Act 344. It also removes the note which advised the public of the statutory changes. The note is no longer necessary due to the updating of the rule.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

The Pharmacy Examining Board held a public hearing on October 30, 2013. No one testified at the hearing, nor submitted written comments.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

**Comment:** 4.c. In the "Statutes interpreted" provision of the rule analysis, the reference to s. 450.02(3), Stats., could more specifically refer to s. 450.02(3)(c), Stats.

**Response:** The Board rejects implementing this change as the scope of return of health items is broader than hypodermic syringes, needles and other objects intended for injecting drugs.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

There is no report from the SBRRB nor a final Regulatory Flexibility Analysis as this rule change has no impact on small businesses