



DAVID CRAIG

STATE SENATOR

Assembly Committee on Health
Public Hearing, April 19, 2017
Assembly Bill 182
Senator David Craig, 28th Senate District

Dear Chairman Sanfelippo and Committee Members,

Thank you for taking testimony on Assembly Bill 182 regarding changes to the pharmacy practice law and modifying rules promulgated by the Pharmacy Examining Board.

We have introduced this legislation because we believe the Pharmacy Society of Wisconsin is asking for sensible changes to update their practice law and board rules to reflect current practice in 2017. This bill is a good example of why the administrative rule review process has value and I thank the chairman for holding a hearing on this bill to update another section of our often Byzantine code.

AB 182 accomplishes four reforms: repeals the display of pharmacy and pharmacist license requirements, redefines long term care facility, repeals the requirement for an inpatient prescription order to include the address of the prescriber and repeals mandatory minimum equipment requirements. Thank you for allowing me to testify on this commonsense update of our statutes. I am happy to take any questions from committee members.



One Voice. One Vision.

DATE: April 19, 2017
TO: Representative Joe Sanfelippo, Chairman
Members, Assembly Committee on Health
FROM: Danielle M. Laurent, MPH
Director, Public Affairs
Pharmacy Society of Wisconsin
SUBJECT: Assembly Bill 182 relating to: various changes to the pharmacy practice law and modifying rules promulgated by the Pharmacy Examining Board

Thank you Chairman Sanfelippo and committee members for holding a hearing on Assembly Bill 182 and for the opportunity to testify on this legislation. We greatly appreciate the work of Representatives Wichgers and Sanfelippo on this legislation which cleans up the state's pharmacy-related Administrative Code.

Since 2011, the Assembly has been reviewing the entire Wisconsin Administrative Code in order to eliminate outdated, confusing, or burdensome regulations. Last session, a public hearing was held during which time the chapters related to pharmacy practice were reviewing. Assembly Bill 182 was written based on testimony heard during that hearing that highlighted areas in which government red tape could be cut to ensure that the state's pharmacy de match contemporary pharmacy practice. The following items were identified as being "clean-up" and will ensure patient safety, promote public health, and modernize the state's pharmacy regulations.

- 1. Update the definition of "long term care facility."** Current administrative code defines a long term care facility (LTCF) more narrowly than the Drug Enforcement Administration (DEA). Phar 1.02(4m) defines a LTCF as a facility for the developmentally disabled or other nursing home; however the DEA defines a LTCF as (1300.01) a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients. The narrowed definition of a LTCF in Phar 1 excludes assisted living facilities such as Community Based Residential Facilities and creates logistical barriers for providers to communicate with one another.
- 2. Repeal the display of pharmacy and pharmacist license requirements.** With license information readily available and searchable online, a physical license doesn't need to be displayed. In addition, DSPS no longer provides this information upon license renewal; it must be accessed from the website. Lastly, it is logistically a challenge for practices where pharmacists practice at many different locations, or practice outside of a brick and mortar pharmacy (e.g. in a clinic).
- 3. Repeal the requirement for an inpatient prescription order to include the address of the prescriber.** With the use of electronic prescribing from electronic medical records, there is no need for a prescriber's address to be included on an inpatient's prescription order.
- 4. Repeal outdated mandatory minimum equipment requirements.** Current administrative code requires pharmacies to have significant equipment that is not typically used in modern pharmacy practice, including mortars, pestles, spatulas, and torsion balances. It is burdensome for pharmacies to purchase and maintain these supplies if they are not being used.

It is important that regulations related to pharmacy practice are updated to ensure that pharmacy professionals are able to provide the best patient care possible. Thank you again for the opportunity to testify on this legislation and for your consideration.

DATE: April 19, 2017
TO: Representative Joe Sanfelippo, Chairman
Members, Assembly Committee on Health
FROM: Anita Kashyap, PharmD, BCACP
SUBJECT: Testimony in Favor of Assembly Bill 182

Chairman Sanfelippo and committee members, I appreciate your work on Assembly Bill 182 and your willingness to hear my testimony. My name is Anita Kashyap. I have been a practicing pharmacist for five years. I am here to testify in favor of Assembly Bill 182 which, if passed, will update Wisconsin's pharmacy regulations, cutting down on unnecessary red tape and allowing pharmacists to focus on safe and effective patient care which is always our number one priority.

One proposed change repeals the requirement that a license issued by the Pharmacy Examining Board be displayed in the place of practice. In my practice, I provide care to patients in several locations including hospital and clinic settings thus allowing my patients to access care in a location convenient to them. A requirement that my license be displayed in each place I practice is unnecessary because my patients and colleagues can access that information online if needed through a searchable database that includes my name, license number and license expiration date.

The proposed legislation also eliminates certain mandatory equipment requirements. Modern pharmacies do not need spatulas, mortar and pestles and torsion balances to operate. I do not use this equipment as part of my practice. To require pharmacies to keep this equipment creates unnecessary expenses for pharmacies, some of which are small businesses that provide jobs in the community, and even more importantly, medical care for those who need it.

Again, the above mentioned proposed changes along with the rest of the proposal will provide important updates to statutes and rules that are now outdated and obsolete in the current landscape of contemporary pharmacy practice and ultimately allow for pharmacists to focus on practice at their highest scope in different settings across the health care continuum. Thank you again for your time and consideration of this legislation.

DATE: April 19, 2017
TO: Members, Assembly Committee on Health
FROM: Thad Schumacher, PharmD
Chair, Wisconsin Pharmacy Examining Board
SUBJECT: Testimony Supporting AB 182

I want to start by thanking the committee for hearing my testimony. My name is Thad Schumacher, and I am a pharmacist and the Chair of the Pharmacy Examining Board and Owner of Hometown Pharmacy - Fitchburg. I am here today to voice support for Assembly Bill 182. This bill moves to strike some useless language in the pharmacy practice act. Not only does it clarify the use of the term Long Term Care across many sections of our rules, it will clear the way for innovation in the practice of pharmacy. By pulling back on the minimum equipment requirements, we will see an increase in innovation as pharmacy practice moves away from a product based environment, toward a patient centered model. Many of these new pharmacy settings will not need all the equipment that a compounding pharmacy needs. The Pharmacy Examining Board supports the changes in this bill which will modernize the state's pharmacy administrative code and remove unnecessary burdens on the practice of pharmacy. I would entertain any questions you may have.

DATE: April 19, 2017
TO: Representative Joe Sanfelippo, Chairman
Members, Assembly Committee on Health
FROM: Heather Stoner, DPH-3
President, Wisconsin Society of Pharmacy Students
SUBJECT: Testimony in Favor of Assembly Bill 182

Chairman Sanfelippo and committee members, thank you for holding a public hearing on Assembly Bill 182. I appreciate the opportunity to testify before you today.

My name is Heather Stoner and I am a third-year pharmacy student at UW-Madison School of Pharmacy and the President of the Wisconsin Society of Pharmacy Students. I am here today testifying in favor of Assembly Bill 182, which clarifies some outdated pharmacy regulations that do not match contemporary pharmacy practice.

As pharmacy professionals, patient safety and well-being is our number one goal. That being said, as a pharmacy intern at CVS within Target Pharmacy, I have had the opportunity to see how these regulations put undue burdens on pharmacy practice with no public safety benefit. For example, the required minimum equipment, including mortars, pestles, and torsion balances, simply sit untouched in a cabinet at our pharmacy. This equipment must be purchased and maintained at a cost to the pharmacy just in the event of an inspection. In addition, through working at multiple locations within CVS at Target Pharmacies, I have had the opportunity to work with many float pharmacists. Having to carry their license to each location is burdensome, not only because they have to remember it each day but it is possible that they are at five different locations in multiple cities within a week.

As a pharmacy student who has been actively studying pharmacy regulations in Wisconsin, I have noticed that there are certain regulations that simply do not match how pharmacy practice actually operates. Many of the regulations simply haven't been updated in decades – technology has changed pharmacy practice since these rules were last updated, and it's important that the rules are modernized so that we, as pharmacy professionals, can provide the best patient care possible, rather than focusing our attention on complying with complex, obsolete, or unnecessary requirements.

Thank you again for the opportunity to testify and for your consideration of this legislation.