Wisconsin Department of Safety and Professional Services

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PHARMACY EXAMINING BOARD

INFORMATION REGARDING LICENSURE OF A PHARMACY

"No pharmacist may dispense at any location which is not licensed as a pharmacy by the board. No person may use or display the title "pharmacy," "drugstore," apothecary" or any other title, symbol or insignia having the same or similar meanings, except for a place of practice which is licensed as a pharmacy or the board." (Ch. 450.06(1), Stats.)

"Any person who fails to license his or her place of practice as required under Chapter 450.06, Stats., may be assessed a forfeiture of not less than $25.00 nor more than $50.00 for each separate offense. Each day of violation constitutes a separate offense."

"Every pharmacy shall be under the control of the managing pharmacist who signed the pharmacy license application, the most recent license renewal application of the most recent amended schedule of operations. The managing pharmacist shall be responsible for the professional operations of the pharmacy. A pharmacist may be the managing pharmacist of not more than one community and one institutional pharmacy at any time and shall be engaged in the practice of pharmacy at each location he or she supervises." (Ch. 450.09(1), Stats.)

INSTRUCTION TO APPLICANT FOR LICENSURE OF A PHARMACY

COMPLETED APPLICATION MUST BE ON FILE AT LEAST 30 DAYS PRIOR TO PROPOSED OPENING DATE.

To license a **NEW PHARMACY** with the Pharmacy Examining Board, please complete steps 1 through 5 below:

1. Complete the enclosed "Application for the Licensure of a Pharmacy" (Form #609), making sure to provide all information requested on both sides of the form.
2. Prepare and submit one set of original floor plans, scaled to size, with a description of the various areas designated. Please indicate location of sink and refrigerator. (For specific floor plan requirements, please refer to Chapter Phar 6 of the enclosed copy of the Wisconsin Administrative Code Relating to the Practice of Pharmacy.)
3. Complete and submit self-inspection signed and notarized with the expected dates of compliance per Wis. Adm. Code Ch. § Phar 6.
4. Forward the above items, along with the required fee, to the Pharmacy Examining Board at the address above, at least 30 days prior to the proposed opening date. Phar 6.01 Licenses; application. Requirements and procedures for applying for a pharmacy license are specified in s. 450.06, Stats. Approved application forms are available from the board. A license application and fee shall be on file with the board at least 30 days prior to the granting of the pharmacy license. A pharmacy may not operate unless a pharmacy license has been granted. Board action shall be taken within 60 business days of receipt of a completed pharmacy application, as provided in s. RL 4.03.
5. Contact the Federal Drug Enforcement Administration for registration forms at www.deadiversion.usdoj.gov, (312) 353-1236, DEA, 230 South Dearborn Street, Ste. 1200, Chicago, Illinois 60604.

Committed to Equal Opportunity in Employment and Licensing

Wisconsin Department of Safety and Professional Services

To license a pharmacy because of a **CHANGE OF OWNERSHIP** or **LOCATION CHANGE**, please complete steps 1 through 6 below:

1. Complete the enclosed "Application for the Licensure of a Pharmacy" (Form #609), making sure to provide all information requested on both sides of the form.
2. Prepare one set of original floor plans, scaled to size, with a description of the various areas designated. Please indicate location of sink and refrigerator. (For specific floor plan requirements, please refer to Chapter Phar 6 of the enclosed copy of the Wisconsin Statutes and Administrative Code Relating to the Practice of Pharmacy.)
3. Completed self-inspection signed and notarized with the expected dates of compliance per Wis. Adm. Code Ch. § Phar 6.
4. Forward the above items, along with the required fee, to the Pharmacy Examining Board at the address above, at least 30 days prior to the proposed opening date. Phar 6.01 Licenses; application. Requirements and procedures for applying for a pharmacy license are specified in s. 450.06, Stats. Approved application forms are available from the board. A license application and fee shall be on file with the board at least 30 days prior to the granting of the pharmacy license. A pharmacy may not operate unless a pharmacy license has been granted. Board action shall be taken within 60 business days of receipt of a completed pharmacy application, as provided in s. RL 4.03.
5. Contact the Federal Drug Enforcement Administration for registration forms at www.deadiversion.usdoj.gov, (312) 353-1236, DEA, 230 South Dearborn Street, Ste. 1200, Chicago, Illinois 60604.
6. A Closing Affidavit must be completed and notarized by the former owner and forwarded to the board office within 10 days of actual closure date.

Section 450.06(3), Stats., requires that a new pharmacy license be obtained following a change of ownership.[1] The following chart sets forth when a change of ownership is deemed to have occurred or not occurred. Following the issuance of a new license, that new licensee must also renew that new license at the next required renewal date, regardless of when that new license was issued.

OWNER	TRANSACTION	CHANGE OF OWNERSHIP?
Individual	Sells pharmacy to another	YES
Individual	"Incorporates" him or herself and there are no other shareholders	NO [only a change in business form of owner]
Individual	Incorporates and adds shareholders other than self, or goes into partnership with other(s)	YES
Partnership	Sells pharmacy to another	YES
Partnership	Members of partnership change and dissolves; e.g., individual(s) leaves	YES
Partnership	Members of partnership change, but partners vote not to dissolve unanimously or by partnership agreement	NO
Partnership	Partnership decides to incorporate itself	NO [again, only a change business form—as long as no shareholders added who were not partners before]
Corporation[2]	Change in shareholders (including sale of all stock)	NO [Corporation owns pharmacy—not shareholders]
Corporation	Sells all assets (as opposed to stock)	YES [One asset being sold is pharmacy; corporation no longer owns it after asset sale]
Corporation	Becomes a subsidiary or division of another corporation	NO [Corporation still owns pharmacy, regardless of who owns corporation]
Corporation	Merges into/or consolidates with another corporation and loses corporate "identity"	YES

[1] §450.06(3), Stats., provides in relevant part as follows:

No pharmacy may be opened or kept open for practice following a change of ownership . . . unless the pharmacy is licensed for the new owner . . . notwithstanding any remaining period of validity under the pharmacy's license under the previous owner . . .

[2] Limited Liability Companies created under Ch. 183, Stats., are the same as Corporations for change of ownership.