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Tony Evers, Governor
Dan Hereth, Secretary

HYBRID (IN-PERSON/VIRTUAL)
PHARMACY EXAMINING BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison, WI
Contact: Brad Wojciechowski (608) 266-2112
October 26, 2023

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board. Be advised that board members may attend meetings designated as "Hybrid" in-person or virtually.

AGENDA

11:00 A.M.
(OR IMMEDIATELY FOLLOWING THE PHARMACY RULES COMMITTEE)

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes of August 31, 2023 (5-9)

C. Reminders: Conflicts of Interest, Scheduling Concerns

D. Introductions, Announcements, and Recognition

E. 11:00 A.M. Public Hearing for Clearinghouse Rule 23-054 on Phar 1, 5, 6, 7, and 8, Relating to Remote Dispensing (10-24)
1) Review Public Hearing Comments and Respond to Clearinghouse Report

F. Administrative Matters – Discussion and Consideration
1) Department, Staff and Board Updates
2) Board Members – Term Expiration Dates
   a. Kleppin, Susan – 7/1/2025
   b. O'Hagan, Tiffany – 7/1/2024
   c. Peterangelo, Anthony – 7/1/2027
   d. Walsh, Michael – 7/1/2024
   e. Weitekamp, John – 7/1/2026
   f. Wilson, Christa – 7/1/2025

G. 2023 Statewide Epinephrine Order for Pharmacists – Discussion and Consideration (25-32)

H. Legislative and Policy Matters – Discussion and Consideration
1) 2023 WI Assembly Bill 143 and 2023 WI Senate Bill 160

I. Administrative Rule Matters – Discussion and Consideration (33-49)
1) Preliminary Rule Draft:

a. Phar 1, 5, 7, 10 and 19, Relating to Registration of Pharmacy Technicians (34-43)
b. Phar 15, Relating to Compounding Pharmaceuticals (44-48)

2) Possible Rule Project: Phar 7 Comprehensive Review
3) Pending or Possible Rulemaking Projects (49)

J. Credentialing Matters – Discussion and Consideration

K. Implement 2021 Wisconsin Act 9 – 100 Most Prescribed Drugs – Discussion and Consideration (50)

L. Speaking Engagements, Travel, or Public Relation Requests, and Reports (51)

1) Travel Report - Executive Officers/Compliance Officer, and Legal Counsel Forum – October 3-5, 2023, Rosemont, IL - Brad Wojciechowski and Whitney DeVoe
2) Upcoming Member Forum, November 29-30, Rosemont, IL

M. **NABP Pulse Regulator Monthly Champions Call, November 13, 2023 – Discussion and Consideration (52)**

N. Pilot Program Matters – Discussion and Consideration

O. Discussion and Consideration on Items Added After Preparation of Agenda

1) Introductions, Announcements and Recognition
2) Nominations, Elections, and Appointments
3) Administrative Matters
4) Election of Officers
5) Appointment of Liaisons and Alternates
6) Delegation of Authorities
7) Education and Examination Matters
8) Credentialing Matters
9) Practice Matters
10) Legislative and Policy Matters
11) Administrative Rule Matters
12) Public Health Emergencies
13) Pilot Program Matters
14) Variances
15) Liaison Reports
16) Board Liaison Training and Appointment of Mentors
17) Informational Items
18) Division of Legal Services and Compliance (DLSC) Matters
19) Presentations of Petitions for Summary Suspension
20) Petitions for Designation of Hearing Examiner
21) Presentation of Stipulations, Final Decisions and Orders
22) Presentation of Proposed Final Decisions and Orders
23) Presentation of Interim Orders
24) Pilot Program Matters
25) Petitions for Re-Hearing
26) Petitions for Assessments
27) Petitions to Vacate Orders
28) Requests for Disciplinary Proceeding Presentations
29) Motions
30) Petitions
31) Appearances from Requests Received or Renewed

32) Speaking Engagements, Travel, or Public Relation Requests, and Reports

P. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

Q. Presentation and Deliberation of Petition for Summary Suspension and Designation of Hearing Official (53-222)

1) 1:00 PM APPEARANCE: Gretchen Mrozinski, DLSC Attorney; Mario Mendoza, Respondent's attorney; and K.J.H, Respondent: 23 PHM 131, Kenneth J. Herrera, R.Ph.

R. Credentialing Matters

1) Application Reviews

a. Empower Pharmacy – Out of State Pharmacy Applicant **(223-358)**
b. Wal-Mart Stores East – Out of State Pharmacy Applicant **(359-800)**
c. Everwell Pharmacy – Out of State Pharmacy Applicant **(801-859)**

S. Deliberation on Division of Legal Services and Compliance Matters

1) Administrative Warning

a. 22 PHM 067 – A.H.A. **(860-861)**
b. 22 PHM 067 – C.J.S. **(862-863)**
c. 22 PHM 067 – S.O.C. **(864-865)**
d. 22 PHM 163 – C.H. **(866-867)**

2) Case Closings

a. 20 PHM 173 – I.W.P. **(868-870)**
b. 22 PHM 032 – W.P. **(871-878)**
c. 22 PHM 110 – H.B. **(879-882)**
d. 22 PHM 114 – S.R.X. **(883-894)**
e. 22 PHM 187 – C.P.P. **(895-898)**
f. 23 PHM 035 – W.P. **(899-906)**
g. 23 PHM 068 – C.P. **(907-909)**
h. 23 PHM 074 – W. **(910-914)**
i. 23 PHM 089 – E.S.P. **(915-918)**
j. 23 PHM 100 – S.S.P. **(919-922)**

3) Monitoring (923-995)

a. Daniel J. Janke, R.Ph. – Requesting Modification of Monitoring Order **(925-951)**
b. Robert Stevens, R.Ph. – Requesting Full Licensure **(952-995)**

T. Deliberation of Items Added After Preparation of the Agenda

1) Education and Examination Matters
2) Credentialing Matters
3) Application Reviews
4) DLSC Matters
5) Monitoring Matters
6) Professional Assistance Procedure (PAP) Matters
7) Petitions for Summary Suspensions
8) Petitions for Designation of Hearing Examiner

9) Proposed Stipulations, Final Decisions and Orders
10) Proposed Interim Orders
11) Administrative Warnings
12) Review of Administrative Warnings
13) Proposed Final Decisions and Orders
14) Matters Relating to Costs/Orders Fixing Costs
15) Case Closings
16) Board Liaison Training
17) Petitions for Assessments and Evaluations
18) Petitions to Vacate Orders
19) Remedial Education Cases
20) Motions
21) Petitions for Re-Hearing
22) Appearances from Requests Received or Renewed

U. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

V. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

W. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

HYBRID (IN-PERSON/VIRTUAL)
PHARMACY EXAMINING BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison, WI
Contact: Brad Wojciechowski (608) 266-2112
October 26, 2023

PHARMACY EXAMINING BOARD

2023 WISCONSIN ETHICS AND PUBLIC RECORDS LAW FACILITATED TRAINING

11:30 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING

A quorum of the Pharmacy Examining Board may be present; however, no Board business will be conducted.

NEXT MEETING: DECEMBER 7, 2023

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at https:\\dsps.wi.gov. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

VIRTUAL/TELECONFERENCE
PHARMACY EXAMINING BOARD
MEETING MINUTES
AUGUST 31, 2023

PRESENT: Susan Kleppin *(arrived 11:06 a.m.),* Tiffany O'Hagan, Anthony Peterangelo, John Weitekamp, Michael Walsh, Christa Wilson

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Brenda Taylor, Board Services Supervisor; and other Department staff

CALL TO ORDER

John Weitekamp, Chairperson, called the meeting to order at 11:02 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- change 22 PHM 118 to 22 PHM 181

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 15, 2023

MOTION: Christa Wilson moved, seconded by Michael Walsh, to approve the Minutes of June 15, 2023 as published. Motion carried unanimously.

Susan Kleppin (arrived 11:06 a.m.)

11:00 A.M. PRELIMINARY HEARING ON STATEMENT OF SCOPE – SS 044-23 ON PHAR 8, RELATING TO CONTROLLED SUBSTANCES REQUIREMENTS

MOTION: Susan Kleppin moved, seconded by Anthony Peterangelo, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 044-23 on Phar 8, relating to Controlled Substances Requirements. Additionally, after consideration of all public comments and feedback the Board approves SS 044-23 for implementation. Motion carried unanimously.

11:00 A.M. PUBLIC HEARING FOR CLEARINGHOUSE RULE 23-031 ON PHAR 18, RELATING TO LICENSURE OF THIRD PARTY LOGISTICS PROVIDERS

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to authorize the Chairperson to work with DSPS staff on responding to the Clearinghouse Report, drafting and approving the Final Rule and Legislative Report for Clearinghouse Rule 23-031 (Phar 18), relating

to Licensure of Third Party Logistics Providers, for submission to the Governor's Office and Legislature. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Final Rule Draft: Phar 7 and 10, Relating to Required Disclosures to Consumers

MOTION: Michael Walsh moved, seconded by Christa Wilson, to approve the Legislative Report and Draft for Clearinghouse Rule 23-015 (Phar 7 and 10), relating to Required Disclosures to Consumers, for submission to the Governor's Office and Legislature. Motion carried unanimously.

DSPS PHARMACY INSPECTION PROCESS

MOTION: John Weitekamp moved, seconded by Michael Walsh, to delegate authority to Susan Kleppin as an Inspection Liaison(s) to address all issues related to the inspection of credentialed facilities. Motion carried unanimously.

CLOSED SESSION

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). John Weitekamp, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Susan Kleppin-yes; Tiffany O'Hagan-yes; Anthony Peterangelo-yes; Michael Walsh-yes; John Weitekamp-yes; and Christa Wilson-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:30 p.m.

CREDENTIALING MATTERS

Allivet – Out of State Pharmacy Applicant

MOTION: Michael Walsch moved, seconded by Christa Wilson, to approve the Out of State Pharmacy application of Allivet once all requirements are met. Motion carried unanimously.

Boyd A. Barwin – Pharmacist Technician Applicant

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to approve the Pharmacist Technician application of Boyd A. Barwin, once all requirements are met. Motion carried unanimously.

Megan M. Currie – Pharmacist Technician Applicant

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to approve the Pharmacy Technician application of Megan M. Currie once all requirements are met. Motion carried unanimously.

David B. Hauge – Pharmacist Applicant

MOTION: Christa Wilson moved, seconded by Tiffany O'Hagan, to approve the Pharmacist application of David B. Hauge once all requirements are met. Motion carried unanimously.

International Rehabilitative Sciences Inc – Out of State Pharmacy Applicant

MOTION: Christa Wilson moved, seconded by Michael Walsh, to deny the Out of State Pharmacy application of International Rehabilitative Sciences Inc. **Reason for Denial**: Wisc. Stat. 450.065(2)(c). Motion carried unanimously.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

MOTION: Anthony Peterangelo moved, seconded by Christa Wilson, to issue an Administrative Warning in the following DLSC Cases:
22 PHM 181, 23 PHM 067 – Z.H.
23 PHM 045 – C.C.A.T.P.
23 PHM 056 – C.A.S.
Motion carried unanimously.

22 PHM 116 – W.

MOTION: Christa Wilson moved, seconded by John Weitekamp, to refer back DLSC Case Number 22 PHM 116, against W., to DLSC for further investigation. Motion carried unanimously.

Case Closings

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to close the following DLSC Cases for the reasons outlined below:

1. 21 PHM 163 – K.S. – No Violation (NV)
2. 22 PHM 031 – B.D. – No Violation (NV)
3. 22 PHM 076 – W.P. – No Violation (NV)
4. 22 PHM 078 – W. – No Violation (NV)
5. 22 PHM 143 – M.P., S.E.B. – Prosecutorial Discretion (P1)
6. 22 PHM 165 – S.S.H.P. – Prosecutorial Discretion (P2)
7. 23 PHM 023 – W. – Prosecutorial Discretion (P2)
8. 23 PHM 029 – C.R.S.L. – Lack of Jurisdiction (L1)
9. 23 PHM 042 – W.R.P., M.D. – No Violation (NV)

10. 23 PHM 056 – W. – No Violation (NV)
11. 23 PHM 076 – K.A.J. – Prosecutorial Discretion (P2)
12. 23 PHM 077 – N.T. – Prosecutorial Discretion (P2)
13. 23 PHM 078 – M.L.T. – Prosecutorial Discretion (P2)

Motion carried unanimously.

22 PHM 136 – W.

MOTION: Christa Wilson moved, seconded by Anthony Peterangelo, to close DLSC Case Number 22 PHM 136, against W., for No Violation. Motion carried unanimously.

(Tiffany O'Hagan recused herself and left the room for deliberation and voting in the matter concerning W., DLSC Case Number 22 PHM 136.)

Proposed Stipulation and Final Decision and Orders

MOTION: Anthony Peterangelo moved, seconded by Michael Walsh to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 21 PHM 151 – CVS Pharmacy #10550 (339-344)
2. 21 PHM 151 – Jeffrey F. Legore, R.Ph. (345-350)
3. 22 PHM 050 – Jerome Drugs, Inc. (351-361)
4. 22 PHM 165 – Jeremy J. Allen, PharmD, R.Ph. (362-367)

Motion carried unanimously.

MONITORING

Alice Hinnawi, Pharmacist – Requesting Full Licensure

MOTION: Michael Walsh moved, seconded by Christa Wilson, to grant the request of Alice Hinnawi, Pharmacist, for Full Licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Christa Wilson moved, seconded by Michael Walsh, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 3:07 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Christa Wilson moved, seconded by Michael Walsh, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Anthony Peterangelo moved, seconded by Michael Walsh, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:09 p.m.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request:	2) Date when request submitted:
Nilajah Hardin **Administrative Rules Coordinator**	**10/16/23** Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting

3) Name of Board, Committee, Council, Sections:

Pharmacy Examining Board

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
10/26/23	☒ Yes ☐ No	**11:00 A.M. Public Hearing for Clearinghouse Rule 23-054 on Phar 1, 5, 6, 7, and 8, Relating to Remote Dispensing** 1. **Review Public Hearing Comments and Respond to Clearinghouse Report**

7) Place Item in:	8) Is an appearance before the Board being scheduled? *(If yes, please complete Appearance Request for Non-DSPS Staff)*	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session	☐ Yes ☒ No	**N/A**

10) Describe the issue and action that should be addressed:

The Board will hold a public hearing on this rule as required by the rulemaking process.

11) Authorization

Nilajah D. Hardin — 10/16/23

Signature of person making this request — **Date**

Supervisor (if required) — **Date**

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — **Date**

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE PHARMACY EXAMINING BOARD	:	PROPOSED ORDER OF THE PHARMACY EXAMINING BOARD ADOPTING RULES (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Pharmacy Examining Board to create Phar 1.02 (10m) and (14m), 5.01 (4), 6.025, and 8.01 (5); repeal Phar 1.02 (9), 7.43 (1) and (3); and amend Phar 7.43 (2), (4) (b), (5) (b), (6) (title), (6) (a), (6) (a) 5, (6) (b), and (7), and 7.62 (1), relating to remote dispensing.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 450.02 (5) and 450.09 (1) and (2) (b) 2, Stats.

Statutory authority: ss. 15.08 (5) (b) and 450.02 (3) (a), (d), and (e). Stats.

Explanation of agency authority:
Section 15.08 (5) (b), Stats. states that "The Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 450.02 (3) (a), Stats. allows the board to "promulgate rules relating to the manufacture of drugs and the distribution and dispensing of prescription drugs."

Section 450.02 (3) (d), Stats. says that the board "may promulgate rules necessary for the administration and enforcement of this chapter and ch. 961."

Section 450.02 (3) (e), Stats. provides that the board "may promulgate rules establishing minimum standards for the practice of pharmacy."

Related statute or rule: s. 961.31, Stats.

Plain language analysis: The objective of the proposed rule is to implement the statutory changes from 2021 Wisconsin Act 101. The Board also added a definition of pharmacy graduates, and modified requirements to allow them to practice pharmacy while waiting for their license to be granted.

Summary of, and comparison with, existing or proposed federal regulation: The practice of pharmacy is not regulated by the federal government and Wisconsin has its own controlled substances schedules. However, the federal government does regulate federally controlled substances and the vast majority of Wisconsin controlled substances are also federally controlled substances. Title 21 CFR Chapter II governs federally scheduled controlled substances, including: registration of manufacturers, distributors and dispensers of controlled substances; prescriptions; orders for schedule I and II controlled substances; requirements for electronic orders and prescriptions; and disposal.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A

Comparison with rules in adjacent states:

Illinois: The Illinois Department of Financial and Professional Regulation is responsible for the licensure and regulation of Pharmacy in Illinois, with input from the Illinois Board of Pharmacy. The Illinois Pharmacy Practice Act contains requirements for pharmacy licensure and dispensing. There is a provision that allows a pharmacy that is not in the same location as its home pharmacy, and services are being provided during an emergency situation, to operate as an emergency remote pharmacy. The Illinois Department of Financial and Professional Regulation may also waive the requirement for a pharmacist to be on duty at all times for state facilities that are not treating human ailments. Additionally, automated pharmacy systems operated from a remote site must be under continuous supervision of a pharmacist however, that pharmacist is not required to be physically present if they can monitor the system electronically [225 Illinois Complied Statutes ch. 85 s. 15 and 22b]. The Illinois Department of Financial and Professional Regulation is also responsible for the promulgation of rules to implement certain sections of the Illinois Pharmacy Practice Act. These rules in the Illinois Administrative Code include definitions for "emergency situation" and what is required in order to operate an emergency remote temporary pharmacy [Illinois Administrative Code s. 1330.420].

In Illinois, graduate of a pharmacy program approved by the Illinois Department of Financial and Professional Regulation may be registered as a pharmacy technician with the "student pharmacist" designation, if they have graduated from said program within the last 18 months. Student pharmacists are allowed to practice pharmacy under the supervision of a pharmacist [225 Illinois Complied Statutes ch. 85 s. 9 (c)].

Iowa: The Iowa Board of Pharmacy is responsible for the licensure and regulation of Pharmacy practice in Iowa. The Iowa Pharmacy Practice Act rules are contained the Iowa Administrative Code and include requirements for remote dispensing in hospital pharmacies. Additionally, a pharmacist is required to be onsite at a telepharmacy site for at least 16 hours per month and can otherwise monitor the site remotely. The telepharmacy site is a separate licensure category from a correctional, hospital, nuclear, or general pharmacy site. If the average number of prescriptions dispensed per day exceeds 150 at a telepharmacy site, the pharmacist is required to be on site 100

percent of the time and the site must apply for licensure as a general pharmacy [657 Iowa Administrative Code sections 7.7 and 13.9 (6)].

In Iowa, graduates of a college of pharmacy approved by the Iowa Board can register as a "pharmacist-intern." Pharmacist-interns are required to practice under the supervision of a licensed pharmacist. This registration automatically terminates upon the pharmacist-intern receiving "licensure to practice pharmacy in any state, lapse in the pursuit of a degree in pharmacy, or one year following graduation from the college of pharmacy," whichever happens sooner [657 Iowa Administrative Code sections 4.1 and 4.6 (3)].

Michigan: The Michigan Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Michigan. Act 368 Article 15 Part 177 of the Michigan Compiled Laws includes the regulations for pharmacy in Michigan, among several other occupations. Unless at a mental health facility or hospital, remote pharmacies cannot be located within 10 miles of another pharmacy, unless a waiver is granted by the Michigan Board. A pharmacist is required to oversee a remote pharmacy; however, a qualified pharmacy technician must be on site at all times that the pharmacy is open if the pharmacist in charge is not physically present. A Pharmacist may not be responsible for more than three remote pharmacy sites at any one time [Michigan Compiled Laws s. 333.17742a and b].

In Michigan, pharmacy graduates can apply for an educational limited license if they are within 180 days of competing an approved educational program. Pharmacy graduates practicing under an educational limited license may only do so under the "personal charge of a pharmacist" [Michigan Administrative Code R 338.513].

Minnesota: The Minnesota Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Minnesota. Part 6800 of the Minnesota Administrative Code includes the regulations for pharmacy in Minnesota. [Minnesota Administrative Rules part 6800]. Chapter 151 of the Minnesota Statutes, or the Pharmacy Practice and Wholesale Distribution Act, also includes pharmacy regulations. According to Section 34 (10) of this chapter, it is unlawful to run a pharmacy without a pharmacist in charge. Operation of a pharmacy without a pharmacist present and on duty is only allowed under an approved variance by the Board. [Minnesota Statutes 151.34 (10), 151.071 (2) (13)].

In Minnesota, pharmacy graduates can apply for a "pharmacist-intern" registration if they are a graduate of a pharmacy college approved by the Minnesota Board. Pharmacist interns must practice under the direct supervision of a licensed pharmacist [Minnesota Administrative Rules Chapter 6800 Parts 5100-5600].

Summary of factual data and analytical methodologies: The Board reviewed the statutory changes from 2021 Wisconsin Act 101 and updated Wisconsin Administrative Code Chapters Phar 1, 5, 6, 7, and 8 accordingly. While completing this review, the

Board also identified a need to create a definition of a Pharmacy Graduate and include them in certain pharmacy practice circumstances.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:
The rule was posted for 14 days on the Department of Safety and Professional Services website to solicit economic impact comments, including how the proposed rules may affect businesses, local municipalities, and private citizens. No comments were received.

Fiscal Estimate and Economic Impact Analysis:
The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:
These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-6795.

Agency contact person:
Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:
Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on October 26, 2023, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1 Phar 1.02 (9) is repealed.

SECTION 2 Phar 1.02 (10m) and (14m) are created to read:

Phar 1.02 (10m) "Pharmacy graduate" means a graduate of a school of pharmacy approved by the pharmacy examining board, who has submitted an application for pharmacist licensure or a qualified applicant awaiting examination for licensure approved by the board.

Phar 1.02 (14m) "Remote dispensing site" has the meaning given in s. 450.01 (21c), Stats.

SECTION 3 Phar 5.01 (4) is created to read:

Phar 5.01 (4) For the purposes of this chapter and pursuant to s. 450.09 (1) (a), Stats., pharmacies shall include remote dispensing sites.

SECTION 4 Phar 6.025 is created to read:

Phar 6.025 Licenses; remote dispensing sites. A pharmacy may be subject to rules that apply only to remote dispensing sites if a pharmacist remotely supervises the location for any period of time. The following conditions shall also be met:

(1) The Licensee provides notice to the Board of all of the information outlined in s. 450.06, Stats.

(2) The site meets all of the requirements listed in Phar 7.43.

(3) The site is any of the location types listed under s. 450.09 (2) (b) 1., Stats.

(4) A managing pharmacist shall report to the Board if they are responsible for 5 or more remote dispensing sites. A managing pharmacist shall not be responsible for more than 10 remote dispensing sites at any given time without approval from the Board.

SECTION 5 Phar 7.43 (1) is repealed.

SECTION 6 Phar 7.43 (2) is amended to read:

Phar 7.43 (2) LOCATION. A ~~pharmacist or a~~ person engaged in the practice of pharmacy under s. 450.03 (1) (f), or (g), ~~or (i),~~ Stats., a pharmacy technician registered under s. 450.068, Stats., or a pharmacy graduate as defined in s. Phar 1.02 (10m) may dispense at any of the locations under s. ~~450.62 (1) to (4)~~ 450.09 (2) (b) 1. a. to d., Stats

SECTION 7 Phar 7.43 (3) is repealed.

SECTION 8 Phar 7.43 (4) (b); (5) (b); (6) (title), (6) (a), (6) (a) 5, and (6) (b); and (7) are amended to read:

Phar 7.43(4) (b) Remote dispensing may not occur if ~~the supervising pharmacy is closed~~ a pharmacist is not available remotely.

(5) (b) Labeling requirements under s. Phar 7.05. The prescription label shall contain the name and address of the ~~supervising pharmacy~~ remote dispensing site as the licensed facility from which the prescribed drug or device was dispensed.

(6) (title) RESPONSIBILITIES OF MANAGING PHARMACIST ~~OR SUPERVISING PHARMACIST~~.

(6) (a) The managing pharmacist of the supervising pharmacy ~~or the supervising pharmacist~~ shall do all of the following:

(6) (a) 5. Documentation indicating accepting responsibility for compliance with this section, signed and dated by ~~both~~ the managing pharmacist ~~and supervising pharmacist, indicating the name of the supervising pharmacist, and the dates the supervision responsibilities begin and end~~.

(6) (b) The managing pharmacist at the supervising pharmacy ~~or supervising pharmacist~~ is responsible for all remote dispensing connected to the supervising pharmacy.

(7) DELEGATE REQUIREMENTS. A person engaged in the practice of pharmacy under s. 450.03 (1) (f), (g), ~~or (i)~~, Stats., a pharmacy technician registered under s. 450.068, Stats., or a pharmacy graduate as defined in s. Phar 1.02 (10m) shall meet the following requirements to remote dispense:

SECTION 9 Phar 7.62 (1) is amended to read:

Phar 7.62 (1) This section does not apply to a person practicing pharmacy under s. 450.03 (1) (f) or (g), Stats., or a pharmacy graduate as defined in s. Phar 1.02 (10m).

SECTION 10 Phar 8.01 (5) is created to read:

Phar 8.01 (5) REMOTE DISPENSING SITES. For the purposes of this chapter and pursuant to s. 450.09 (1) (a), stats., pharmacies shall include remote dispensing sites.

SECTION 11 EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
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FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original ☐ Updated ☐ Corrected

2. Date
September 29, 2023

3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)
Phar 1, 5, 6, 7, and 8 - Permanent Rule

4. Subject
Remote Dispensing

5. Fund Sources Affected
☐ GPR ☐ FED ☒ PRO ☐ PRS ☐ SEG ☐ SEG-S

6. Chapter 20, Stats. Appropriations Affected
s. 20.165 (1) (g)

7. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect ☐ Increase Existing Revenues ☒ Increase Costs ☐ Decrease Costs
☒ Indeterminate ☐ Decrease Existing Revenues ☐ Could Absorb Within Agency's Budget

8. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy
☐ Local Government Units
☒ Specific Businesses/Sectors
☐ Public Utility Rate Payers
☐ Small Businesses **(if checked, complete Attachment A)**

9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).
$0

10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be $10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?
☐ Yes ☒ No

11. Policy Problem Addressed by the Rule
These rules implement the statute changes form 2021 Wisconsin Act 101. The Board also added a definition of pharmacy graduates, and modified requirements to allow them to practice pharmacy while waiting for their license to be granted.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.
The rule will be poseted on the Department's website for 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.
None.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
DSPS estimates a total of $8,900 in one-time costs and $2,800 in annual costs for staffing and an indeterminate IT impact to implement the rule. This rule permanently implements the statutory changes from the 2021 Wisconsin Act 101. The estimated one-time staffing need for .1 limited term employees (LTE) is for staff training, forms and sites updates, and developing reference materials to reflect new statutory provisions. The estimated annual staffing need addresses an increase in questions and workload related to processing submitted applications for the department, the applicant, and the call center, as well as necessary board coordination to implement the rule. The one-time and annual estimated costs cannot be absorbed in the currently appropriated agency budget.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
The benefits of implementing this rule are that the Pharmacy Examining Board's sections of the Administrative Code will be aligned with Wisconsin State Statues.

16. Long Range Implications of Implementing the Rule

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ADMINISTRATIVE RULES
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The long range implications of implementing this rule are clear rules for remote dispensing for pharmacies in Wisconsin.

17. Compare With Approaches Being Used by Federal Government

The practice of pharmacy is not regulated by the federal government and Wisconsin has its own controlled substances schedules. However, the federal government does regulate federally controlled substances and the vast majority of Wisconsin controlled substances are also federally controlled substances. Title 21 CFR Chapter II governs federally scheduled controlled substances, including: registration of manufacturers, distributors and dispensers of controlled substances; prescriptions; orders for schedule I and II controlled substances; requirements for electronic orders and prescriptions; and disposal.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: The Illinois Department of Financial and Professional Regulation is responsible for the licensure and regulation of Pharmacy in Illinois, with input from the Illinois Board of Pharmacy. The Illinois Pharmacy Practice Act contains requirements for pharmacy licensure and dispensing. There is a provision that allows a pharmacy that is not in the same location as its home pharmacy, and services are being provided during an emergency situation, to operate as an emergency remote pharmacy. The Illinois Department of Financial and Professional Regulation may also waive the requirement for a pharmacist to be on duty at all times for state facilities that are not treating human ailments. Additionally, automated pharmacy systems operated from a remote site must be under continuous supervision of a pharmacist however, that pharmacist is not required to be physically present if they can monitor the system electronically [225 Illinois Complied Statutes ch. 85 s. 15 and 22b]. The Illinois Department of Financial and Professional Regulation is also responsible for the promulgation of rules to implement certain sections of the Illinois Pharmacy Practice Act. These rules in the Illinois Administrative Code include definitions for “emergency situation” and what is required in order to operate an emergency remote temporary pharmacy [Illinois Administrative Code s. 1330.420].

In Illinois, graduate of a pharmacy program approved by the Illinois Department of Financial and Professional Regulation may be registered as a pharmacy technician with the “student pharmacist” designation, if they have graduated from said program within the last 18 months. Student pharmacists are allowed to practice pharmacy under the supervision of a pharmacist [225 Illinois Complied Statutes ch. 85 s. 9 (c)].

Iowa: The Iowa Board of Pharmacy is responsible for the licensure and regulation of Pharmacy practice in Iowa. The Iowa Pharmacy Practice Act rules are contained the Iowa Administrative Code and include requirements for remote dispensing in hospital pharmacies. Additionally, a pharmacist is required to be onsite at a telepharmacy site for at least 16 hours per month and can otherwise monitor the site remotely. The telepharmacy site is a separate licensure category from a correctional, hospital, nuclear, or general pharmacy site. If the average number of prescriptions dispensed per day exceeds 150 at a telepharmacy site, the pharmacist is required to be on site 100 percent of the time and the site must apply for licensure as a general pharmacy [657 Iowa Administrative Code sections 7.7 and 13.9 (6)].

In Iowa, graduates of a college of pharmacy approved by the Iowa Board can register as a “pharmacist-intern.” Pharmacist-interns are required to practice under the supervision of a licensed pharmacist. This registration automatically terminates upon the pharmacist-intern receiving “licensure to practice pharmacy in any state, lapse in the pursuit of a degree in pharmacy, or one year following graduation from the college of pharmacy,” whichever happens sooner [657 Iowa Administrative Code sections 4.1 and 4.6 (3)].

Michigan: The Michigan Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Michigan. Act 368 Article 15 Part 177 of the Michigan Compiled Laws includes the regulations for pharmacy in Michigan, among several other occupations. Unless at a mental health facility or hospital, remote pharmacies cannot be located within 10 miles of another pharmacy, unless a waiver is granted by the Michigan Board. A pharmacist is required to oversee a remote pharmacy; however, a qualified pharmacy technician must be on site at all times that the pharmacy is

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

open if the pharmacist in charge is not physically present. A Pharmacist may not be responsible for more than three remote pharmacy sites at any one time [Michigan Compiled Laws s. 333.17742a and b].

In Michigan, pharmacy graduates can apply for an educational limited license if they are within 180 days of competing an approved educational program. Pharmacy graduates practicing under an educational limited license may only do so under the "personal charge of a pharmacist" [Michigan Administrative Code R 338.513].

Minnesota: The Minnesota Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Minnesota. Part 6800 of the Minnesota Administrative Code includes the regulations for pharmacy in Minnesota. [Minnesota Administrative Rules part 6800]. Chapter 151 of the Minnesota Statutes, or the Pharmacy Practice and Wholesale Distribution Act, also includes pharmacy regulations. According to Section 34 (10) of this chapter, it is unlawful to run a pharmacy without a pharmacist in charge. Operation of a pharmacy without a pharmacist present and on duty is only allowed under an approved variance by the Board. [Minnesota Statutes 151.34 (10), 151.071 (2) (13)].

In Minnesota, pharmacy graduates can apply for a "pharmacist-intern" registration if they are a graduate of a pharmacy college approved by the Minnesota Board. Pharmacist interns must practice under the direct supervision of a licensed pharmacist [Minnesota Administrative Rules Chapter 6800 Parts 5100-5600].

19. Contact Name	20. Contact Phone Number
Nilajah Hardin, Administrative Rules Coordinator	(608) 267-7139

This document can be made available in alternate formats to individuals with disabilities upon request.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?
☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)
☐ Yes ☐ No

LCRC
FORM 2

Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE **23-054**

AN ORDER to repeal Phar 1.02 (9), 7.43 (1) and (3); amend Phar 7.43 (2), (4) (b), (5) (b), (6) (title), (a) (intro.) and 5., and (b), and (7), and 7.62 (1); and create Phar 1.02 (10m) and (14m), 5.01 (4), 6.025, and 8.01 (5), relating to remote dispensing.

Submitted by **PHARMACY EXAMINING BOARD**

09-29-2023 RECEIVED BY LEGISLATIVE COUNCIL.

10-19-2023 REPORT SENT TO AGENCY.

MSK:KAM

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

   Comment Attached YES ☑ NO ☐

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

   Comment Attached YES ☑ NO ☐

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

   Comment Attached YES ☐ NO ☑

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

   Comment Attached YES ☑ NO ☐

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

   Comment Attached YES ☑ NO ☐

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

   Comment Attached YES ☐ NO ☑

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

   Comment Attached YES ☐ NO ☑

Wisconsin Legislative Council
RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Margit Kelley
Clearinghouse Assistant Director

Anne Sappenfield
Legislative Council Director

CLEARINGHOUSE RULE 23-054

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

1. Statutory Authority

In the rule summary's listing of statutory authority, the board should consider including a citation to s. 450.02 (5), Stats. That section specifically authorizes rulemaking to govern pharmacies that are operated as remote dispensing sites.

2. Form, Style and Placement in Administrative Code

a. In the rule caption's enumeration of treated provisions, group the provisions in the following order: to repeal, to amend, and to create. [s. 1.01 (1) (b), Manual.]

b. In s. Phar 6.025 (2), the abbreviation "s." should be inserted before the reference to "Phar 7.43".

c. In the treatment clause for SECTION 8 of the proposed rule, the designation "(intro.)" should be inserted after "(7)". Also, the affected subunits for sub. (6) should be shown as "(6) (title), (a) (intro.) and 5., and (b)". The listings should also be corrected in the rule caption's enumeration of treated provisions.

d. In s. Phar 8.01 (5), the abbreviation "stats." should be revised to the capitalized "Stats.".

4. Adequacy of References to Related Statutes, Rules and Forms

In s. Phar 6.025 (intro.), a cross-reference should be added to identify the applicable "rules that apply only to remote dispensing sites".

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The rule summary's plain language should be revised to describe what changes are made in response to 2021 Wisconsin Act 101. The plain language analysis could provide more detail on the content of the rule, what changes are made to reflect the statutory text, and the overall effect on the administration and oversight of remote pharmacy dispensing.

b. In s. Phar 1.02 (10m), the phrase "pharmacy examining board" should be revised to "board", in order to use the term defined in s. Phar 1.02 (1).

c. In s. Phar 6.025 (intro.), consider revising the introductory statements to use the active voice. [s. 1.05 (1) (d), Manual.] Also, consider revising the first sentence of the introduction; is it intended that any time a pharmacist remotely supervises a location, that is a sufficient condition to apply the specific rules for remote dispensing?

d. In s. Phar 6.025 (1) and (4), each instance of the words "Licensee" and "Board" should not be capitalized. [s. 1.06 (2), Manual.] Also, in sub. (4), the phrase "shall not" should be revised to "may not". [s. 1.08 (1) (b), Manual.]

e. In s. Phar 7.43 (2), the comma after "s. 450.03 (1) (f)" should be shown with a strike-through. Also, the final period in the current text should be shown.

f. In s. Phar 7.43 (7) (intro.), the comma after "s. 450.03 (1) (f)" should be shown with a strike-through and the word "or" should be inserted with underscoring.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, on behalf of Tiffany O'Hagan		**2) Date when request submitted:** 10/18/2023 **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 10/26/2023	**5) Attachments:** ☒ Yes ☐ No	**6) How should the item be titled on the agenda page?** 2023 Statewide Epinephrine Standing Order for Pharmacists – Discussion and Consideration	
7) Place Item in: ☒ Open Session ☐ Closed Session	**8) Is an appearance before the Board being scheduled?** *(If yes, please complete Appearance Request for Non-DSPS Staff)* ☐ Yes <Appearance Name(s)> ☐ No	**9) Name of Case Advisor(s), if applicable:** <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization			
			**10/18/2023**
Signature of person making this request			**Date**
Supervisor (Only required for post agenda deadline items)			**Date**
Executive Director signature (Indicates approval for post agenda deadline items)			**Date**

Directions for including supporting documents:

1. **This form should be saved with any other documents submitted to the Agenda Items folders.**
2. **Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.**
3. **If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.**

STATE OF WISCONSIN
Department of Health Services
Division of Public Health

1 West Wilson Street
PO Box 2659
Madison WI 53701-2659

Telephone: 608-266-1568
Fax: 608-261-6392
TTY: 888-701-1253

Date: January 6, 2023 DPH Numbered Memo EMS 23-01

To: Pharmacies licensed in Wisconsin

From: Wisconsin Department of Health Services (DHS)

Statewide Epinephrine Standing Order for Pharmacists

Background
Under Wisconsin law (Wis. Stat. § 255.07), a health care provider with prescribing authority who is employed by or under contract with the department may issue a statewide standing order for the dispensing of epinephrine auto-injectors or prefilled syringes for use under sub. (4) by authorized individuals or by employees or agents of authorized entities who have completed the training required by sub. (5).

Definition
A standing order is defined in Wis. Stat. § 450.01(21p) as an order transmitted electronically or in writing by a practitioner for a drug or device for multiple patients or for one or more groups of patients. A centralized, statewide epinephrine standing order for pharmacists outlines predetermined conditions and criteria that, when met, enables pharmacists across Wisconsin to dispense epinephrine without a patient-specific prescription order. A health care provider with prescribing authority who is licensed in Wisconsin and employed by or under contract with the Department of Health Services (DHS) may issue standing orders for epinephrine that delegate authority to pharmacists practicing and licensed in Wisconsin to dispense epinephrine to those authorized in the standing order.

Subject
Statewide Standing Order for Pharmacies—Epinephrine Dispensing for Anaphylaxis Treatment

Effective date
01/19/2023 (supersedes all previous versions)

Expiration of standing order
This order is effective as of the date signed and shall remain effective until withdrawn by Dr. Colella, DHS Secretary, or either's designee. Dr. Colella retains the right to modify or supplement this order as needed.

Approved for use as a population-based standing order by
Wisconsin Department of Health Services (DHS)

Purpose
This statewide epinephrine standing order delegates authority to pharmacists and outlines the policies and procedures necessary for dispensing epinephrine without a patient-specific prescription to authorized individuals or to employees or agents of authorized entities who have completed the

Policy

This standing order authorizes pharmacists located, and licensed in Wisconsin, to maintain supplies of epinephrine for the purposes stated herein and does not prevent the use of patient-specific or third-party prescriptions for epinephrine written by prescribers.

Authority

This standing order is issued pursuant to Wis. Stat. § 255.07, which permits a physician with prescribing authority who is employed by or under contract with DHS to issue a statewide standing order to one or more persons authorizing the dispensing of epinephrine.

Procedures

This standing order authorizes pharmacists to dispense epinephrine pursuant to the following procedures outlined herein. Unlimited refills are authorized.

1. Standing order compliance requirements

a. **Participant training**: Before dispensing epinephrine under the standing order to an authorized employee, agent, or individual, the pharmacy must verify completion of an anaphylaxis training program conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an organization approved by DHS. The authorized employee, agent, or individual shall provide the pharmacy a certificate of training from a nationally recognized organization or an organization approved by DHS that must be current within four years of completion.

b. **Public posting**: The standing order signed by a health care provider with prescribing authority who is licensed in Wisconsin and employed by or under contract with DHS, can be found at the following DHS website: https://dhs.wisconsin.gov/dph/memos/ems/index.htm.

c. **Order copy maintenance**: A copy of the standing order signed by a DHS State EMS Medical Director, who is also a licensed physician in Wisconsin, must be maintained on file and be readily retrievable at each participating pharmacy site.

d. **Participant authority**: All registered pharmacists at the pharmacy must be familiar with epinephrine and the patient education materials.

e. **Patient education**: The pharmacist must educate the patient and distribute the patient education materials at the time of dispensing.

f. **Record maintenance**: Pharmacists must maintain dispensing records according to Wis. Admin. Code § Phar 7.11 requirements (pharmacy records).

2. Consultation with patient

a. **Offer education** on:
   - Anaphylaxis recognition and epinephrine administration.
   - The importance of establishing an anaphylaxis response plan.
   - The importance of others in their residence learning this plan in case of emergency.

b. **Provide client with information** about the epinephrine **delivery options** and **insurance coverage**.

c. **Review questions** about anaphylaxis and epinephrine administration.

d. **Provide overview** of:
   - How to recognize anaphylaxis.
   - Proper procedure to respond to anaphylaxis with the use of epinephrine.
   - Contraindications

- Side effects

e. **Discuss** how to **safely dispose** of epinephrine.

f. After Epinephrine administration
   - **Call 911.** Tell emergency dispatcher the person is having anaphylaxis and may need epinephrine when emergency responders arrive.
   - Lay the person flat, raise legs and keep warm. If breathing is difficult or they are vomiting, let them sit up or lie on their side.
   - If symptoms do not improve, or symptoms return, more doses of epinephrine can be given about 5 minutes or more after the last dose.
   - Alert emergency contacts.
   - Encourage transport to ER, even if symptoms resolve; symptoms may reoccur.

Epinephrine Pharmacist Dispensing Protocol

Clinical Pharmacology Description

Epinephrine is indicated for the treatment of anaphylaxis induced by an allergen. Anaphylaxis is highly likely when **any one** of the following two criteria are fulfilled[1]:

1. Acute onset of an illness (minutes to several hours) with simultaneous involvement of the skin, mucosal tissue, or
both (e.g., generalized hives, pruritus or flushing, swollen lips-tongue-uvula) *AND AT LEAST ONE OF THE FOLLOWING:*

- Respiratory compromise (e.g., dyspnea, wheeze-bronchospasm, stridor, reduced PEF*, hypoxemia)
- Reduced BP** or associated symptoms of end-organ dysfunction (e.g., hypotonia [collapse], syncope, incontinence)
- Severe gastrointestinal symptoms (e.g., severe crampy abdominal pain, repetitive vomiting), especially after exposure to non-food allergens

Acute onset of hypotension, or bronchospasm, or laryngeal involvement, after exposure to a known or highly probable allergen for that patient (minutes to several hours), even in the absence of typical skin involvement (https://www.worldallergyorganizationjournal.org/article/S1939-4551(20)30375-6/fulltext#secsectitle0030).

Eligible Candidates

An employee or agent of an authorized entity* who has completed the training required by sub. (5) or an authorized individual** may use an epinephrine auto-injector or prefilled syringe prescribed under sub. (2) to do any of the following:

(a) Provide one or more epinephrine auto-injectors or prefilled syringes to any individual who the employee, agent, or authorized individual believes in good faith is experiencing anaphylaxis, or to the parent, guardian, or caregiver of that individual for immediate administration, regardless of whether the individual has a prescription for an epinephrine auto- injector or prefilled syringe or has previously been diagnosed with an allergy.

(b) Administer an epinephrine auto-injector or prefilled syringe to any individual who the employee, agent, or authorized individual believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for an epinephrine auto-injector or prefilled syringe or has previously been diagnosed with an allergy.

*"Authorized entity" means any entity or organization, other than a school described in s. 118.2925, operating or participating in a business, activity, or event at which allergens capable of causing anaphylaxis may be present, including a recreational and educational camp, college, university, day care facility, youth sports league, amusement park, restaurant, place of employment, and sports arena.

** "Authorized individual" means an individual who has successfully completed the training program under sub. (5).

[1] Cardona V, Ansotegui IJ, Ebisawa M, El-Gamal Y, Fernandez Rivas M, Fineman S, Geller M, Gonzalez-Estrada A, Greenberger PA, Sanchez Borges M, Senna G, Sheikh A, Tanno LK, Thong BY, Turner PJ, Worm M. World allergy organization anaphylaxis guidance 2020. World Allergy Organ J. 2020 Oct 30;13(10):100472. doi: 10.1016/j.waojou.2020.100472. PMID: 33204386; PMCID: PMC7607509.

Order to dispense

Upon satisfactory assessment that the following requirements have been met:

(a) An employee or agent described in sub. (3) or (4) or an individual seeking to be an authorized individual completed an anaphylaxis training program and at least every 4 years thereafter conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an organization approved by the department.

(b) The organization that conducts the training under par. (a) shall issue a certificate, on a form approved by the department, to each person who successfully completes the anaphylaxis training program.

and upon providing consultation to that individual regarding recognizing and responding to suspected anaphylaxis, deliver one epinephrine kit. The specific epinephrine formulation shall be selected from the list below in accordance with the recipient's preference and training to administer a particular formulation:

Product, quantity and instructions for epinephrine to be dispensed

	Auto-injector	Pre-filled syringe
Adult 66 pounds or more/30 kilograms or more	Dispense Two single-use auto-injectors of epinephrine 1:1,000; 0.3 to 0.5 mg/ml depending on manufacturer availability. Sig: Place one auto-injector against the middle of the outer thigh (through clothing, if needed), then push firmly until you hear a click sound, and hold in place for 3 seconds to allow drug administration. If there is no improvement after 5 minutes, repeat the injection.	Dispense Two single-use pre-filled syringes of epinephrine 1:1,000; 0.5 mg/ml Sig: 1) Uncap the epinephrine syringe. 2) Insert the needle into the muscle of the middle of the outer thigh of the patient, through clothing if needed, and push on the plunger to inject the epinephrine. If there is no improvement after 5 minutes, repeat the injection.
Pediatric 33 to 66 pounds/15 to 30 kilograms for prefilled syringes or as specified by auto-injector manufacturer. Do not dispense pediatric epinephrine for patients below 33 pounds/15 kg or as specified by autoinjector manufacturer.	Dispense Two single-use auto-injectors of epinephrine 1:1,000; 0.15 mg/ml. Sig: Place one auto-injector against the middle of the outer thigh (through clothing, if needed), then push firmly until you hear a click sound, and hold in place for 3 seconds to allow drug administration. If there is no improvement after 5 minutes, repeat the injection.	Dispense Two single-use pre-filled syringes of epinephrine 1:1,000; 0.15 mg/ml. Sig: 1) Uncap the epinephrine syringe. 2) Insert the needle into the muscle of the middle of the outer thigh of the patient, through clothing if needed, and push on the plunger to inject the epinephrine. If there is no improvement after 5 minutes, repeat the injection.

Prescription label

Should include the following:

- Name of the recipient or patient (prescribed or using)
- Prescriber name on the standing order
- Epinephrine formulation and concentration
- Date dispensed
- Refills: PRN, as needed for a year
- Patient instructions
  - Dispensed per standing order; and
  - Use as directed.

Patient Education

- Review common questions about anaphylaxis and epinephrine administration.
- Provide an overview of how to recognize anaphylaxis and proper procedure to respond with epinephrine.
- Discuss how to administer epinephrine and when.
- Discuss how to safely dispose of epinephrine.

Additional information and resources are available on https://www.foodallergy.org/resources.

Contraindications

Patients know to be hypersensitive to epinephrine or any components of the preparation.

Precautions

Common side effects of epinephrine include:

- Fast, irregular or "pounding" heartbeat.
- Sweating.
- Shakiness.
- Headache.
- Feeling nervous.
- Weakness.
- Dizziness.
- Nausea and vomiting.
- Breathing problems.

Statewide Epinephrine Standing Order Signature:

M. Riccardo Colella DO, MPH

__1.6.2023

SIGNATURE: **DATE**

Dr. Mario Riccardo Colella, DHS EMS Medical Director Wisconsin Medical License: 50358-21

NPI #: 1336106277

By dispensing epinephrine under this Statewide Epinephrine Standing Order for Pharmacists, the managing pharmacist attests that all registered pharmacists at this location have received

one hour of training on epinephrine and have read and understand both the epinephrine standing order and the epinephrine patient education materials.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request:	2) Date when request submitted:
Nilajah Hardin **Administrative Rules Coordinator**	**10/16/23** **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**

3) Name of Board, Committee, Council, Sections:

Pharmacy Examining Board

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
10/26/23	☒ Yes ☐ No	**Administrative Rule Matters – Discussion and Consideration** **1. Preliminary Rule Draft:** **a. Phar 1, 5, 7, 10 and 19, Relating to Registration of Pharmacy Technicians** **b. Phar 15, Relating to Compounding Pharmaceuticals** **2. Possible Rule Project: Phar 7 Comprehensive Review** **3. Pending or Possible Rulemaking Projects**

7) Place Item in:	8) Is an appearance before the Board being scheduled? *(If yes, please complete Appearance Request for Non-DSPS Staff)*	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session	☐ Yes ☒ No	**N/A**

10) Describe the issue and action that should be addressed:

Attachments:
1. Phar 1, 5, 7, 10 and 19 Preliminary Rule Draft
2. Phar 15 Preliminary Rule Draft
3. Rule Projects Chart

Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx

11) Authorization

Nilajah D. Hardin — 10/16/23

Signature of person making this request — **Date**

Supervisor (if required) — **Date**

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — **Date**

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE PHARMACY EXAMINING BOARD	:	PROPOSED ORDER OF THE PHARMACY EXAMINING BOARD ADOPTING RULES (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Pharmacy Examining Board to amend Phar 1.01, 1.02 (intro), 1.02 (Note), 7.07 (2), 7.14 (2), (2) (b), (2) (c) 3. and 6., (2) (d) 1. and 2., (2) (e), (3) (a) and (b), (4) (a), (b), (c), and (d), (5), (6) (a) 1. and 2, 7.43 (7), ch. Phar 7 subch. V (title), 7.62 (title), (1), (2), (3) (intro.), (5), (6), and (7), 10.03 (2), (17), and (19); create Phar 1.01 (11m), 5.07, 7.60 (intro.) and (3), and ch. Phar 19; and repeal Phar 7.14 (2) and 7.62 (3) (a) to (d), relating to registration of pharmacy technicians.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 450.68, Stats.

Statutory authority: ss. 15.08 (5) (b), 450.02 (3) (a), (d), and (e). Stats

Explanation of agency authority:
Section 15.08 (5) (b), Stats. states that "The Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 450.02 (3) (a), Stats. allows the board to "promulgate rules relating to the manufacture of drugs and the distribution and dispensing of prescription drugs."

Section 450.02 (3) (d), Stats. says that the board "may promulgate rules necessary for the administration and enforcement of this chapter and ch. 961."

Section 450.02 (3) (e), Stats. provides that the board "may promulgate rules establishing minimum standards for the practice of pharmacy."

Related statute or rule: 2021 Wisconsin Act 100

Plain language analysis: The objective of the proposed rule is to implement the statutory changes from 2021 Wisconsin Act 100.

Summary of, and comparison with, existing or proposed federal regulation: The practice of pharmacy is not regulated by the federal government and Wisconsin has its own controlled substances schedules. However, the federal government does regulate federally controlled substances and the vast majority of Wisconsin controlled substances are also federally controlled substances. Title 21 CFR Chapter II governs federally scheduled controlled substances, including: registration of manufacturers, distributors and dispensers of controlled substances; prescriptions; orders for schedule I and II controlled substances; requirements for electronic orders and prescriptions; and disposal.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A

Comparison with rules in adjacent states:

Illinois: The Illinois Department of Financial and Professional Regulation is responsible for the licensure and regulation of Pharmacy in Illinois, with input from the Illinois Board of Pharmacy. The Illinois Pharmacy Practice Act contains requirements for licensure of registered pharmacy technicians, as well as for pharmacists and pharmacies. Registered pharmacy technicians in Illinois must be at least 16 years old, currently attending or have graduated from high school or have a high school equivalency certificate and have completed the requirements to become a licensed registered certified pharmacy technician. A registered certified pharmacy technician must be at least 18 and as of January 1, 2024, have graduated from a pharmacy technician training program or obtained documentation from the pharmacist-in-charge at the pharmacy where they are employed that they have successfully completed a nationally accredited training program. [225 Illinois Complied Statutes ch. 85 s. 9 and 9.5]. The Illinois Department of Financial and Professional Regulation is also responsible for the promulgation of rules to implement certain sections of the Illinois Pharmacy Practice Act. These rules in the Illinois Administrative Code include application requirements for both registered and registered certified pharmacy technicians, as well as rules for their training and education [Illinois Administrative Code s. 1330.200-1330.220].

Iowa: The Iowa Board of Pharmacy is responsible for the licensure and regulation of Pharmacy practice in Iowa. Title IV Chapter 155A of the Iowa Code includes the statutory requirements for pharmacy technician registration, licensure of pharmacists and pharmacies, and prescription drug orders, among other requirements. In Iowa pharmacy technicians must register with the Iowa Board and the responsibility for their actions is with the licensed pharmacist who is supervising them [Iowa Code ch.155A s.6A]. The Iowa Pharmacy Practice Act rules are contained in the Iowa Administrative Code and include requirements for pharmacy technicians. Among those requirements, the chapter includes registration procedures, training, delegation and practice, national certification, as well as unethical conduct and discipline [657 Iowa Administrative Code ch. 3].

Michigan: The Michigan Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Michigan. Act 368 Article 15 Part 177 of the Michigan Compiled Laws includes the regulations for pharmacy in Michigan, among several other occupations. Also included in those regulations are the statutory requirements for licensure and practice of pharmacy technicians. [Michigan Compiled Laws s. 333.17739]. The Michigan Administrative Rules also include requirements for pharmacy technicians administered by the Michigan Department of Licensing and Regulatory Affairs in conjunction with the Michigan Board. These rules include licensure, examination, training, and approved education program requirements for pharmacy technicians [Michigan Administrative Rules R 338.3651-338.3665].

Minnesota: The Minnesota Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Minnesota. Part 6800 of the Minnesota Administrative Code includes the regulations for pharmacy in Minnesota. These rules include requirements for pharmacy technician registration, education, training, and supervision [Minnesota Administrative Rules part 6800.3850]. Chapter 151 of the Minnesota Statutes, or the Pharmacy Practice and Wholesale Distribution Act, also includes pharmacy regulations and requirements for pharmacy technicians. This statute specifically clarifies the nature of the supervisory relationship of the pharmacist to the technician, as well as how many technicians each individual pharmacist may supervise. [Minnesota Statutes 151.102].

Summary of factual data and analytical methodologies:
The Board reviewed the statutory changes from 2021 Wisconsin Act 100 and updated or created Wisconsin Administrative Code Chapters Phar 1, 5, 7, 10 and 19 accordingly.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:
The rule will be posted for 14 days on the Department of Safety and Professional Services website to solicit economic impact comments, including how the proposed rules may affect businesses, local municipalities, and private citizens.

Fiscal Estimate and Economic Impact Analysis:
The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business:
These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-6795.

Agency contact person:
Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission: Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

Commented [NH1]: Phar 7.43 (7) and 7.62 (1) are only being amended in the Remote Dispensing rule

SECTION 1. Phar 1.01, 1.02 (intro.), and 1.02 (Note) are amended to read:

Phar 1.01 Authority. Rules in chs. Phar 1 to ~~17~~19 are adopted under authority of ss. 15.08 (5) (b), 227.11 (2), Stats, and ch. 450, Stats.

Phar 1.02 (intro.) As used in ch. Par 1 to ~~17~~19.

Phar 1.02 (Note) The board office is located at ~~1400 East Washington Avenue~~ 4822 Madison Yards Way Madison, WI ~~53702~~53705.

SECTION 2. Phar 1.01 (11m) is created to read:

Phar 1.01 (11m) "Pharmacy technician" means a person registered by the board under s. 450.068, Stats.

SECTION 3. Phar 5.07 is created to read:

Phar 5.07 Pharmacy Technicians. (1) All requirements for renewal and reinstatement of a pharmacy technician registration are specified in chapter Phar 19. **(2)** No pharmacist whose license has been denied, revoked, suspended, or restricted for disciplinary purposes is eligible to be registered as a pharmacy technician.

SECTION 4. Phar 7.07 (2); 7.14 (title); 7.14 (1) (a), (b) and (d); and 7.14 (2) are amended to read:

Phar 7.07 (2) For all prescription drug ~~product~~ products or ~~device dispensing~~ devices dispensed by a pharmacist, the prescription record shall identify the pharmacist responsible for each part of the final check. If sub. (1) (a) or (b) is completed by ~~delegate check delegate~~ pharmacy product verification technician under s. Phar 7.14 or automated technology under s. Phar 7.55, the prescription record shall identify the ~~delegate~~ pharmacy product verification technician performing the check.

Phar 7.14 (title) ~~Delegate check Delegate~~ Pharmacy Product Verification Technician-check-Pharmacy Technician.

Phar 7.14 (1) (a) "~~Delegate~~ Pharmacy product verification technician" means a ~~person~~ registered pharmacy technician to whom the pharmacist has delegated the task of product verification.

Phar 7.14 (1) (b) "~~Delegate-check-delegate~~ Pharmacy product verification technician-check- pharmacy technician" means the process in which ~~one delegate~~ a pharmacy product verification technician conducts the task of product verification of technical dispensing functions completed by ~~an unlicensed individual~~ a pharmacy technician. A ~~delegate~~ pharmacy product verification technician may not conduct product verification as part of the final check of their own product preparation.

Phar 7.14 (1) (d) "Supervising pharmacist" means the pharmacist licensed in this state, who is responsible for the operations and outcomes of product verification done by a ~~delegate~~ pharmacy product verification technician and ensuring for direct supervision of the ~~delegate~~ pharmacy product verification technician.

Phar 7.14 (2) ~~DELEGATE~~ PHARMACY PRODUCT VERIFICATION TECHNICIAN QUALIFICATIONS. A pharmacist may delegate the product verification of a prescription or chart order to a ~~delegate~~ pharmacy technician who meets all of the following:

SECTION 5. Phar 7.14 (2) (a) is repealed.

SECTION 6. Phar 7.14 (2) (b), (2) (c) 3. and 6., (2) (d) 1. and 2., and (2) (e); 7.14 (3) (a) and (b); 7.14 (4) (a), (b), (b) 1., (c), and (d); 7.14 (5); and 7.14 (6) (a) 1. and 2. are amended to read:

Phar 7.14 (2) (b) Completed an accredited pharmacy technician training program or has a minimum of 500 hours of experience in product selection, labeling and packaging.

Phar 7.14 (2) (c) 3. Eligible ~~medications~~ products for ~~delegate-check-delegate~~ pharmacy product verification technician-check-pharmacy technician.

Phar 7.14 (2) (c) 6. A practical training designed to assess the competency of the ~~delegate~~ pharmacy technician prior to starting the validation process. The practical training shall include simulation of at least 2 occurrences of each of the following:

Phar 7.14 (2) (d) 1. The ~~delegate~~ pharmacy technician being validated shall make a product verification on the work of a pharmacist or ~~unlicensed person~~ another pharmacy technician for accuracy and correctness of a minimum of 500 product verifications over a minimum of 5 separate days and achieve an accuracy rate of at least 99.8%.

Phar 7.14 (2) (d) 2. A pharmacist shall audit 100% of the product verifications made by the ~~delegate~~ pharmacy technician during the validation process.

Phar 7.14 (2) (e) Notwithstanding pars. ~~(a)~~ (b) to (d), ~~a delegate~~ an individual who completed the board's pilot program validation process between October 1, 2016 and September 30, 2019, meets the ~~delegation~~ pharmacy product verification technician qualifications unless the ~~delegate~~ individual fails to meet the quality assurance standards under sub. (4).

Phar 7.14 (3) (a) *Institutional pharmacies.* The ~~delegate~~ pharmacy product verification technician may do the product verification in an institutional pharmacy if all of the following requirements are met:

Phar 7.14 (3) (b) *Community pharmacies.* The ~~delegate~~ pharmacy product verification technician may do the product verification in a community pharmacy if all of the following requirements are met:

Phar 7.14 (4) (a) A minimum of 5% of each ~~delegate's~~ pharmacy product verification technician's verifications shall be audited by a licensed pharmacist. The accuracy of each ~~delegate~~ pharmacy product verification technician shall be tracked individually.

Phar 7.14 (4) (b) A record of each ~~delegate-check-delegate~~ pharmacy product verification technician-check-pharmacy technician audit shall include all of the following:

Phar 7.14 (4) (b) 1. Name of the pharmacy product verification ~~delegate~~ technician.

Phar 7.14 (4) (c) On a quarterly basis, the supervising pharmacist shall perform an assessment of each ~~delegate's~~ pharmacy product verification technician's previous 12 months accuracy and correctness of ~~delegate-check-delegate~~ pharmacy product verifications including a review of the quality assurance log.

Phar7.14 (4) (d) A ~~delegate~~ pharmacy product verification technician shall be revalidated if the ~~delegate~~ individual fails to maintain a product verification accuracy rate of 99.8% based on the quarterly assessment of the previous 12 months or has not performed ~~delegate- check-delegate product~~ verifications within the last 6 months.

Phar 7.14 (5) POLICIES AND PROCEDURES. Each pharmacy shall maintain policies, procedures, and training materials for the ~~delegate-check-delegate~~ pharmacy product verification by technicians which shall be made available to the board upon request.

Phar 7.14 (6) (a) 1. All validation records of each ~~delegate~~ pharmacy product verification technician that include the dates that the validation occurred, the number of product verifications performed, the number of product verification errors, and overall accuracy rate.

Phar 7.14 (6) (a) 2. Documentation indicating accepting responsibility for compliance with this section, signed and dated by both the managing pharmacist and supervising ~~delegate-check-~~ ~~delegate~~ pharmacist, indicating the name of the supervising ~~delegate-check-delegate~~ pharmacist, and the dates the supervision responsibilities begin and end.

SECTION 7. chapter Phar 7 subchapter V (title) is amended to read:

Subchapter V – ~~Unlicensed Persons~~ Uncredentialed Pharmacy Staff

SECTION 8. Phar 7.60 (intro) is created to read:

Phar 7.60 Definitions. In this subchapter:

SECTION 9. Phar 7.60 (2) is repealed.

SECTION 10. Phar 7.60 (3) is created to read:

Phar 7.60 (3) "Uncredentialed Pharmacy staff" means any staff practicing in the pharmacy who are not otherwise licensed or registered under s. 450.03 (1) (f), (g), or (gm), Stats.

SECTION 11. Phar 7.62 (title), (2), (3), (3) (intro.) are amended to read:

Phar 7.62 (title) ~~Unlicensed persons~~ Uncredentialed Pharmacy staff.

Phar 7.62 (2) A pharmacist shall provide ~~general~~ direct supervision of ~~unlicensed personnel~~ uncredentialed pharmacy staff. A pharmacist shall be available to the ~~unlicensed~~ uncredentialed pharmacy staff person for consultation either in person or contact by telecommunication means.

Phar 7.62 (3) An ~~unlicensed~~ uncredentialed pharmacy staff person may not ~~do any of the following:~~ engage in the practice of pharmacy as defined in s. 450.01 (16), Stats., or the practice of a pharmacy technician as defined in s. Phar 19.02.

SECTION 12. Phar 7.62 (3) (a) to (d) are repealed.

SECTION 13. Phar 7.62 (5), (6), and (7) are amended to read:

Phar 7.62 (5) A managing pharmacist shall provide training to or verify competency of an ~~unlicensed~~ uncredentialed pharmacy staff person prior to the ~~unlicensed~~ uncredentialed pharmacy staff person performing a delegated act.

Phar 7.62 (6) The managing pharmacist shall determine which acts may be delegated in a pharmacy. The managing pharmacist has a duty to notify all pharmacists practicing in that pharmacy which acts may be delegated to specific ~~unlicensed~~

~~persons~~ uncredentialed pharmacy staff. This record shall be provided to the board upon request.

Phar 7.62 (7) A pharmacist may delegate to an ~~unlicensed~~ uncredentialed pharmacy staff person any delegated act approved by the managing pharmacist pursuant to sub. (3).

SECTION 14. Phar 10.03 (2), (17), and (19) are amended to read:

Phar 10.03 (2) Engaging in any pharmacy practice which constitutes a danger to the health, welfare, or safety of patient or public, including but not limited to, practicing in a manner which substantially departs from the standard of care ordinarily exercised by a pharmacist or pharmacy technician which harmed or could have harmed a patient;

Phar 10.03 (17) Having a pharmacist license or pharmacy technician registration revoked or suspended in another state or United States jurisdiction or having been subject to other disciplinary action by the licensing authority thereof;

Phar 10.03 (19) Practicing without a current license or registration.

SECTION 15. Chapter Phar 19 is created to read:

Chapter Phar 19
REGISTRATION OF PHARMACY TECHNICIANS

Phar 19.01 Registration. (1) No person may engage in the practice of a pharmacy technician or use the title "pharmacy technician" or "pharmacy tech" unless the person is registered as a pharmacy technician by the Board.

(2) A person applying for a pharmacy technician registration shall satisfy all of the following:

(a) Submit a completed application form.

Note: Instructions for applications are available on the department of safety and professional services' website at http://dsps.wi.gov.

(b) Pay the fee determined by the Department under s. 440.05 (1), Stats.

(c) Subject to ss. 111.321, 111.322, and 111.335, stats., the applicant does not have an arrest or conviction record.

(d) The applicant satisfies one of the following:

1. Is at least 18 years of age and has graduated from high school or has attained high school graduation equivalency as determined by the department of public instruction.

2. Is enrolled in a youth apprenticeship program for pharmacy technicians that is on the list of youth apprenticeship programs approved by the

department of workforce development under s. 106.13 (2m), Stats.

(3) A person who has applied for a registration as a pharmacy technician and whose practice as a pharmacy technician is limited to performing duties under the direct supervision of a person licensed as a pharmacist by the board and during the period before which the board takes final action on the persons application may practice as a pharmacy technician.

Phar 19.02 Scope of Practice. A pharmacy technician may administer vaccines as authorized under s. 450.035 (2h), Stats., perform technical dispensing functions, compounding, packaging, labeling and storage, pharmacy and inventory management, and other activities involved in the practice of pharmacy delegated by a pharmacist. A pharmacy technician may not perform any of the following:

(1) Except as allowed under Phar 7.14, provide the final verification for the accuracy, validity, completeness, or appropriateness of the filled prescription or medication order.

(2) Complete the drug utilization review under s. Phar 7.03.

(3) Administer any prescribed drug products, or devices under s. 450.035 (1t), Stats.

(4) Provide patient specific counseling or consultation.

(5) Make therapeutic alternate drug selections.

(6) Provide supervision over the practice of pharmacy to other pharmacy technicians or uncredentialed pharmacy staff.

Phar 19.03 Renewal and Reinstatement. (1) RENEWAL.

(a) A person with an expired pharmacy technician registration may not reapply for a registration using the initial application process.

(b) A person renewing their pharmacy technician registration shall do all of the following:

1. Submit a completed renewal application.

   Note: Instructions for renewal applications are available on the department of safety and professional services' website at http://dsps.wi.gov.

2. Pay the renewal fee as determined by the department under s. 440.03 (9) (a), Stats. and any applicable late renewal fee.

(c) Notwithstanding sub. (b), if a pharmacy technician fails to obtain renewal on or before the applicable renewal date, the board may suspend the pharmacy technician's registration.

(2) REINSTATEMENT. A registration holder who has unmet disciplinary requirements and failed to renew the registration within 5 years or whose registration has been surrendered or revoked may apply to have the registration reinstated in accordance with all of the following:

(a) Evidence of completion of the requirements under s. 19.02 (2).

(b) Evidence of completion of any disciplinary requirements.

Phar 19.04 Change of Address, Employer, or Name. Pursuant to ss. 440.11 (1) and 450.068 (3), each pharmacy technician shall notify the department of an address change or change of employer within 10 days of the change, and a name change within 30 days of the change.

Note: Instructions for providing notification of address change, change of employer, or a name change are available on the department of safety and professional services' website at http://dsps.wi.gov.

SECTION 16. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE PHARMACY EXAMINING BOARD	:	PROPOSED ORDER OF THE PHARMACY EXAMINING BOARD ADOPTING RULES (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Pharmacy Examining Board to repeal and recreate chapter Phar 15, relating to Compounding Pharmaceuticals.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 450.01 (16), Stats.

Statutory authority: ss. 15.08 (5) (b), and 450.02 (3) (d) and (e), Stats.

Explanation of agency authority:
Section 15.08 (5) (b), Stats. states that "The Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 450.02 (3) (d), Stats. says that the board "may promulgate rules necessary for the administration and enforcement of this chapter and ch. 961."

Section 450.02 (3) (e), Stats. provides that the board "may promulgate rules establishing minimum standards for the practice of pharmacy."

Related statute or rule: N/A

Plain language analysis:
The Pharmacy Examining Board recently completed a revision to Wisconsin Administrative Code Chapter Phar 15 which became effective on August 1, 2022. The objective of this rule is to repeal and recreate the recent version of Phar 15 to incorporate by reference United States Pharmaceopeia (USP) General Chapters 795 and 797, published on November 1, 2022. The Board will also be incorporating USP General Chapter 800, published on December 1, 2019, as well as USP General Chapter 825, published on December 1, 2020.

Summary of, and comparison with, existing or proposed federal regulation:
The practice of pharmacy is not regulated by the federal government and Wisconsin has its own controlled substances schedules. However, the federal government does regulate federally controlled substances and the vast majority of Wisconsin controlled substances are also federally controlled substances. Title 21 CFR Chapter II governs federally scheduled controlled substances, including: registration of manufacturers, distributors and dispensers of controlled substances; prescriptions; orders for schedule I and II controlled substances; requirements for electronic orders and prescriptions; and disposal.The states are primarily responsible for the oversight of compounding in pharmacies. Pursuant to the Drug Quality and Security Act, the federal government is responsible for outsourcing facilities, which by definition are not pharmacies, and are subject to current good manufacturing practice requirements, labeling requirements and may distribute compounded drugs in response to an order that is not patient specific. The Food, Drug and Cosmetic Act requires drugs to be prepared, packed or held under sanitary conditions.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A

Comparison with rules in adjacent states:
Illinois: For patient-specific prescriptions, sterile and unsterile pharmaceutical compounding is governed by the USP 42-NF 37 from the 2019 USP Compounding Compendium, except for USP Chapter 800. Additionally, all pharmacies that compound drugs must maintain a set of minimum standards and equipment. These requirements include a specific area for compounding materials, accurate scales or measuring equipment, a separate area for compounding, a record keeping system for tracking compounded drugs, drug distribution procedures, and labelling. Additional requirements for sterile compounding include current reference materials, pharmacist availability at all times to answer patient and health care professional questions, and emergency medications for adverse drug reactions to compounded sterile drugs. [Illinois Administrative Code s. 1330.640]. In Illinois, the definition of "compounding" excludes flavorings [225 Illinois Compiled Statutes 85 s. 3 (o)].

Iowa: Iowa requires compliance with the current revisions of USP Chapters 795 and 797. Additionally, Iowa includes requirements for the use of flavoring agents. These requirements include that pharmacist may add flavoring in the amount of not more than percent of the total volume of the drug. The beyond-use date of the flavored drug must be no greater than 14 days and the pharmacist must document that a flavoring agent was added ot a drug. Compliance with USP Chapter 825 is not required, however Iowa does have its own rules for radiopharmaceuticals and nuclear pharmacy [Iowa Administrative Code ss.657.16 and 657.20].

Michigan: Michigan requires a pharmacy that provides compounding services to be licensed as a pharmacy and authorized to provide compounding services. The pharmacy must be accredited through a national accrediting organization and be in compliance with USP standards [Michigan Compiled Laws s. 333.17748a to c]. In Michigan, the definition of "compounding" does not include flavoring agents that are nonallergenic, inert, and not more than 5% of the drug's total volume [Michigan Administrative Rules R 338.501 (1) (e)].

Minnesota: Minnesota requires pharmacies compounding nonsterile drug preparations to follow USP chapter 795 standards. Pharmacies compounding sterile drug preparations are required to follow USP chapter 797 standards. [Minnesota Administrative Rules s.6800.3300]

Summary of factual data and analytical methodologies: In addition to the four adjacent states listed above, the Pharmacy Examining Board also reviewed statutes and regulations regarding compounding pharmaceuticals from other states including Arizona, California, Colorado, Connecticut, Idaho, Kentucky, Lousiana, Massachusetts, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Texas, Utah, West Virginia, and Wyoming.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:
The rule will be posted for 14 days on the Department of Safety and Professional Services website to solicit economic impact comments, including how the proposed rules may affect businesses, local municipalities, and private citizens.

Fiscal Estimate and Economic Impact Analysis:
The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business:
These rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-6795.

Agency contact person:
Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:
Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

Section 1. Chapter Phar 15 is repealed and recreated to read:

Chapter Phar 15
PHARMACEUTICAL COMPOUNDING, SAFE HANDLING OF HAZARDOUS DRUGS, AND RADIOPHARMACEUTICALS

Phar 15.01 Definitions. In this chapter:
(1) "USP-NF" means the United States Pharmacopeia-National Formulary published by the United States Pharmacopeial Convention.

Phar 15.02 Incorporation of Standards. (1) PHARMACEUTICAL COMPOUNDING - NONSTERILE PREPARATIONS. USP-NF general chapter 795, official as of November 1, 2023, is incorporated by reference into this chapter, subject to the exception that nonsterile compounding does not include the addition of nonallergenic, therapeutically inert flavoring agents to a conventionally manufactured drug product. The pharmacist shall also comply with the following requirements when adding flavoring agents to a drug product:

(a) The pharmacist shall ensure that the flavoring agent is not more than 5 percent of the product's total volume.
(b) The pharmacist shall label the flavored prescription with a beyond-use-date that shall be no longer than fourteen days if stored in a refrigerator unless otherwise documented.
(c) The pharmacist shall document the addition of flavoring as part of the prescription record. The documentation shall include the type of flavoring agent, manufacturer, lot number, and expiration date.
(d) A prescription is required before a pharmacist may add flavoring to an over-the-counter product.

(2) PHARMACEUTICAL COMPOUNDING - STERILE PREPARATIONS. USP-NF general chapter 797, official as of November 1, 2023, is incorporated by reference into this chapter.
(3) SAFE HANDLING OF HAZARDOUS DRUGS. USP-NF general chapter 800, official as of December 1, 2023, is incorporated by reference into this chapter.
(4) RADIOPHARMACEUTICALS. USP-NF general chapter 825, official as of December 1, 2020, is incorporated by reference into this chapter.

Note: Copies of the above standards are on file in the offices of the legislative reference bureau. A copy of the USP-NF can be purchased from the United States Pharmacopeial Convention at https://usp.org.

Phar 15.03 Compliance. Noncompliance with ch. Phar 15 may be considered a violation of s. Phar 10.03 and may result in disciplinary action by the Board against a licensee.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Pharmacy Examining Board
Rule Projects (updated 10/16/23)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
Not Assigned Yet (EmR 2303)	052-22	12/27/2024	Phar 1, 5, 7, 10, and 19	Registration of Pharmacy Technicians	Permanent Preliminary Rule Draft Reviewed at 10/26/23 Meeting; Emergency Rule Effective 02/03/23-05/01/24	Board Approval of Permanent Preliminary Rule Draft for Posting for EIA Comment and Submission to Clearinghouse for Review
23-054 (EmR 2213)	053-22	12/27/2024	Phar 1, 5, 6, 7 and 8	Remote Dispensing	Permanent Rule Public Hearing Held at 10/26/23 Meeting; Emergency Rule Effective 11/01/22-05/01/24	Drafting Final Rule and Legislative Report for Submission to Governor's Office and Legislature
23-015	102-21	05/01/2024	Phar 7 and 10	Consumer Disclosures	Legislative Review	Adoption Order Presented at a Future Board Meeting
Not Assigned Yet	044-23	01/10/2026	Phar 8	Controlled Substances Requirements	Drafting	Board Review and Approval of Preliminary Rule Draft
Not Assigned Yet	007-23	07/23/2025	Phar 15	Compounding Pharmaceuticals	Preliminary Rule Draft Reviewed at 10/26/23 Meeting	Board Approval of Permanent Preliminary Rule Draft for Posting for EIA Comment and Submission to Clearinghouse for Review
23-031	097-21	04/18/2024	Phar 18	Third Party Logistics Providers	Drafting Final Rule and Legislative Report	Submission to Governor's Office and Legislature for Review

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, on behalf of Chairperson Weitekamp		**2) Date when request submitted:** 9/27/2023 **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 10/26/2023	**5) Attachments:** ☒ Yes ☐ No	**6) How should the item be titled on the agenda page?** Implement 2021 Wisconsin Act 9 – 100 Most Prescribed Drugs – Discussion and Consideration	
7) Place Item in: ☒ Open Session ☐ Closed Session	**8) Is an appearance before the Board being scheduled?** *(If yes, please complete Appearance Request for Non-DSPS Staff)* ☐ Yes <Appearance Name(s)> ☒ No	**9) Name of Case Advisor(s), if applicable:** <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization **Signature of person making this request**			**Date** 9/27/2023
Supervisor (Only required for post agenda deadline items)			**Date**
Executive Director signature (Indicates approval for post agenda deadline items)			**Date**

Directions for including supporting documents:
1. **This form should be saved with any other documents submitted to the Agenda Items folders.**
2. **Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.**
3. **If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.**

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski		**2) Date when request submitted:** 10/10/2023 **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 10/26/2023	**5) Attachments:** ☐ Yes ☒ No	**6) How should the item be titled on the agenda page?** Speaking Engagements, Travel, or Public Relations Requests, and Reports – Discussion and Consideraton 1) Travel Report - Executive Officers/Compliance Officer, and Legal Counsel Forum – October 3-5, 2023, Rosemont, IL - Brad Wojciechowski and Whitney DeVoe 2) Upcoming Member Forum, November 29-30, Rosemont, IL	
7) Place Item in: ☒ Open Session ☐ Closed Session	**8) Is an appearance before the Board being scheduled?** *(If yes, please complete Appearance Request for Non-DSPS Staff)* ☐ Yes <Appearance Name(s)> ☒ No	**9) Name of Case Advisor(s), if applicable:** <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) **Authorization**  **10/10/2023** **Signature of person making this request** **Date** **Supervisor (Only required for post agenda deadline items)** **Date** **Executive Director signature (Indicates approval for post agenda deadline items)** **Date**			
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Revised 03/2021

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski		**2) Date when request submitted:** 10/18/2023 **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 10/26/2023	**5) Attachments:** ☐ Yes ☒ No	**6) How should the item be titled on the agenda page?** NABP Pulse Regulator Monthly Champions Call, November 13, 2023 – Discussion and Consideration	
7) Place Item in: ☒ Open Session ☐ Closed Session	**8) Is an appearance before the Board being scheduled?** *(If yes, please complete Appearance Request for Non-DSPS Staff)* ☐ Yes <Appearance Name(s)> ☒ No	**9) Name of Case Advisor(s), if applicable:** <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) **Authorization**  **10/18/2023** **Signature of person making this request** **Date** **Supervisor (Only required for post agenda deadline items)** **Date** **Executive Director signature (Indicates approval for post agenda deadline items)** **Date**			
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