



VIRTUAL/TELECONFERENCE
PHARMACY RULES COMMITTEE of the
PHARMACY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
October 16, 2025

Notice: The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. A quorum of the Board may be present during any committee meetings.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER

- A. Approval of Agenda (1)**
- B. Approval of Minutes of August 21, 2025 (2)**
- C. Administrative Rule Matters – Discussion and Consideration (3-8)**
 - 1. Emergency Rule Draft: Phar 1, 6, 7 and 10, Relating to Pharmacy Workplace Conditions
 - 2. Pending or Possible Rulemaking Projects
- D. Public Comments**

ADJOURNMENT

NEXT MEETING: DECEMBER 18, 2025

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 any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. 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 RULES COMMITTEE of the
PHARMACY EXAMINING BOARD
MEETING MINUTES
AUGUST 21, 2025**

PRESENT: Tiffany O'Hagan, Anthony Peterangelo, John Weitekamp

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department staff

CALL TO ORDER

John Weitekamp, Chairperson, called the meeting to order at 9:01 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: Anthony Peterangelo moved, seconded by Tiffany O'Hagan, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 19, 2025

MOTION: Anthony Peterangelo moved, seconded by Tiffany O'Hagan, to approve the Minutes of June 19, 2025, as published. Motion carried unanimously.

ADJOURNMENT

MOTION: Anthony Peterangelo moved, seconded by Tiffany O'Hagan, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:53 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 10/02/25 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>									
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board Rules Committee											
4) Meeting Date: 10/16/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Emergency Rule Draft: Phar 1, 6, 7 and 10, Relating to Pharmacy Workplace Conditions 2. Pending or Possible Rulemaking Projects									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Attachments: 1. Phar 1, 6, 7, 10 Emergency Rule Draft Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx											
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">11) Authorization</td> <td style="width: 40%; border: none;"></td> </tr> <tr> <td style="border: none;"> Signature of person making this request </td> <td style="border: none; text-align: center;"> 10/02/25 Date </td> </tr> <tr> <td style="border: none;">Supervisor (if required)</td> <td style="border: none; text-align: center;">Date</td> </tr> <tr> <td colspan="2" style="border: none;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date </td> </tr> </table>				11) Authorization		Signature of person making this request	10/02/25 Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
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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	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD	:	ADOPTING EMERGENCY RULES

The statement of scope for this rule, SS 002-25, was approved by the Governor on December 20, 2024, published in Register 829A2 on January 13, 2025, and approved by the Pharmacy Examining Board on March 12, 2025. This emergency rule was approved by the Governor on (date).

ORDER

An order of the Pharmacy Examining Board to amend Phar 10.03 (2), (13), and (17) and create Phar 6.09, relating to pharmacy workplace conditions.

Analysis prepared by the Department of Safety and Professional Services.

FINDING OF EMERGENCY

The Pharmacy Examining Board has identified a concern related to workplace safety including concerning behavior involving prescription accuracy, performing vaccinations, and patient care, among other areas of Pharmacy practice in the workplace. Due to these concerns, the Board deems an emergency rule to be appropriate to address the imminent issues to public safety and welfare.

ANALYSIS

Statutes interpreted: ss. 450.02 (2) and 450.02 (3) (d) and (e), Stats.

Statutory authority: ss. 15.08 (5) (b), 450.02 (2), 450.02 (3) (b), (d), and (e), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats. states that the Board “[s]hall 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 (2), Stats., states that “[t]he board shall promulgate rules that do all of the following:

(a) Define the active practice of pharmacy. The rules shall apply to all applicants for licensure under s. 450.05.

(b) Define the activities that constitute the practice of a pharmacy technician for purposes if the registration requirement under s. 450.068.”

Section 450.02 (3) (b), Stats., states “[t]he board may promulgate rules... [e]stablishing security standards for pharmacies.”

Section 450.02 (3) (d), Stats., states “[t]he board may promulgate rules...[n]ecessary for the administration and enforcement of this chapter and ch. 961.”

Section 450.02 (3) (e), Stats., states “[t]he board may promulgate rules...[e]stablishing minimum standards for the practice of pharmacy.”

Related statute or rule: None.

Plain language analysis: The objective of the proposed rule is to amend requirements in the Wisconsin Administrative Code to increase public safety by improving working conditions in pharmacies. The Board achieved this objective by creating Phar 6.09, which consists of requirements related to working conditions in pharmacies. The Board also amended Phar 10.03 (2), (13), and (17) to include that they now also apply to as unprofessional conduct for the pharmacy license.

Summary of, and comparison with, existing or proposed federal regulation: None.

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 various requirements on licensure, dispensing, and practice. Some of those requirements include pharmacy working conditions. In Illinois, a pharmacy cannot require any pharmacy staff to work more than 12 continuous hours per day. A pharmacy shall also allow pharmacists who work 6 continuous hours or longer to take at least one 30 minute break and one 15 minute break during that 6 hour period. If the pharmacy has a private break room, a pharmacist who qualifies for breaks shall have access to this room. The pharmacy may choose to close when the pharmacist is on break. If the pharmacy does not close, the pharmacist on break must remain within the pharmacy or the building where the pharmacy is located. Only prescriptions that have received final verification by a pharmacist may be dispensed while a pharmacist is on break. Additionally, a license may be revoked or have disciplinary action taken against it for failing to provide a working environment that protects the health and safety of a patient. This includes failure to employ sufficient pharmacy staff, provide breaks, and enough time for pharmacists to complete their professional duties [225 Illinois Compiled Statutes ch. 85 ss. 15.1 and 30].

Iowa: The Iowa Board of Pharmacy is responsible for the licensure and regulation of Pharmacy practice in Iowa. The Iowa Administrative Code includes various pharmacy practice rules. Some of those requirements include standards for pharmacies such as adequate drug storage under sanitary conditions, policies and procedures for pharmacy operation, equipment as needed to serve patient needs maintained pursuant to manufacturer recommendations, and the current pharmacist's license displayed within view of the public. Additionally, in Iowa unprofessional conduct includes negating a patient's freedom of choice in pharmacy services and breaching the public trust in terms of the practice of pharmacy [481 Iowa Administrative Code ch. 552 ss. 552.2 and 552.11].

Michigan: The Michigan Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Michigan. Many pharmacy practice regulations are located in the Michigan Administrative Rules and include requirements for pharmacies. In Michigan, pharmacies are required to be equipped with the necessary facilities to provide efficient services [Michigan Administrative Rules R 338.537].

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 regulations for pharmacy in Minnesota. Some of those regulations include requirements for pharmacy work conditions. In Minnesota, a pharmacy cannot require pharmacists or pharmacy technicians to work more than 12 hours per day including breaks. Those working more than 6 hours per day are allowed a 30-minute uninterrupted break. If a pharmacy chooses to stay open while the pharmacist is on break, the pharmacist needs to stay within the pharmacy or within the establishment for emergencies. Only prescriptions that have been approved by the pharmacist to be dispensed without counseling may be sold while the pharmacist is on break. These work conditions do not apply to an emergency situation that necessitates longer working hours or no breaks to minimize immediate patient health risks. Additionally, it is unprofessional conduct for a pharmacist or pharmacy to engage in practice that causes a danger to the patient or public [Minnesota Administrative Rules part 6800, sections 6800.2160 and 6800.2250].

Summary of factual data and analytical methodologies: The Pharmacy Examining Board completed a comprehensive review of Wisconsin Administrative Code Chapters Phar 1, 6, 7 and 10 and made changes as needed. The Board utilized references from Virginia's pharmacy rules and regulations, National Association of Boards of Pharmacy, and other sources.

Fiscal Estimate: The Fiscal Estimate 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) 266-2112.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; 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, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 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. Phar 6.09 is created to read:

Phar 6.09 Workplace Conditions. A pharmacy shall provide a safe working environment by ensuring all of the following:

- (1) Determine appropriate staffing levels to operate in a safe and effective manner in consultation with the managing pharmacist.
- (2) Carry and utilize equipment as needed to meet the needs of the patients served that is maintained in accordance with manufacturer recommendations.
- (3) That enough time is allotted for pharmacy staff to complete services safely and accurately.
- (4) That staff are sufficiently trained and demonstrate competency in their assigned tasks as determined by the managing pharmacist.
- (5) That the pharmacy shall not override the managing pharmacist when using their professional judgement regarding all aspects of pharmacy practice, including whether vaccines can be administered in a safe manner.

SECTION 2. Phar 10.03 (2), (13) and (17) 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 pharmacy, pharmacist or pharmacy technician which harmed or could have harmed a patient.

(13) Exercising undue influence on or taking unfair advantage of a patient in the promotion or sale of services, drugs or other products for the financial gain of the pharmacy, pharmacist or a third party.

(17) Having a pharmacy license, 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.

SECTION 3. This emergency rule shall take effect upon publication in the official state newspaper.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Chairperson
Pharmacy Examining Board