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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
Contact: Brad Wojciechowski (608) 266-2112
April 16, 2026

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.

AGENDA

11:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes of February 26, 2026 (5-10)

C. Reminders: Conflicts of Interest, Scheduling Concerns

D. Introductions, Announcements and Recognition
1. Introduction and Welcome: DSPS Secretary Hereth

E. Administrative Matters – Discussion and Consideration
1. Department, Staff and Board Updates
2. Board Members – Term Expiration Dates
   a. Esser, Paul T. – 7/1/2029
   b. O'Hagan, Tiffany M. – 7/1/2028
   c. Peterangelo, Anthony – 7/1/2027
   d. Sokn, Erick – 7/1/2029
   e. Weitekamp, John G. – 7/1/2026
   f. Wilson, Christa – 7/1/2029

F. Legislative and Policy Matters – Discussion and Consideration (11-14)
1. 2025 Wisconsin Act 167 relating to the membership of the Pharmacy Examining Board
2. 2025 Wisconsin Act 168 Remote Dispensing Sites

G. Administrative Rule Matters – Discussion and Consideration (15-28)
1. Final Rule Draft: Phar 7, Relating to Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substance Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check
2. Pending or Possible Rulemaking Projects

H. Pharmacies and Final Product Verification Checks – Discussion and Consideration (29-31)

I. Interdisciplinary Advisory Committee – Discussion and Consideration

J. Guidance on Compounding Pharmacies, Phar 15, and Semaglutide/Tirzepatide Production – Discussion and Consideration

K. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration

1. Travel Report: MPJE Item Development Workshop – March 11-13, 2026 – O'Hagan and Weitekamp

L. Newsletter Matters – Discussion and Consideration

M. Credentialing Matters – Discussion and Consideration

N. National Association of Boards of Pharmacy Matters – Discussion and Consideration

O. NABP Pulse Regulator Monthly Champions Call – Discussion and Consideration

P. Liaison Reports – Discussion and Consideration

Q. 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

R. 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.).

S. Credentialing Matters

1. Application Review

a. C.M.H. – Initial Application (IA-799068) **(32-74)**

2. Exemption Request

a. C.R.H.L. – 10133-42 – Exception Request **(75-77)**
b. M.H. – 10083-42 – Exception Request **(78-81)**
c. L.H. & C. – 10085-42 – Exception Request **(82-87)**

T. Deliberation on Division of Legal Services and Compliance Matters

1. Administrative Warnings

a. 24 PHM 004 – W. **(88-94)**
b. 25 PHM 0101 – S.V.G. **(95-98)**

2. Case Closings

a. 24 PHM 0093 – A.P., T.D.L., A.B., and K.B. **(99-108)**
b. 25 PHM 0026 – C.B.I. **(109-113)**
c. 25 PHM 0050 – M.P. **(114-120)**
d. 25 PHM 0101 – W.P. **(121-123)**
e. 25 PHM 0150 – W., and N.B. **(124-128)**
f. 25 PHM 0182 – W.P. **(129-131)**

3. Proposed Stipulations, Final Decisions and Orders

a. 25 PHM 0041 – William J. Mahoney **(132-144)**

U. 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

V. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: JUNE 18, 2026

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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 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 EXAMINING BOARD
MEETING MINUTES
FEBRUARY 26, 2026

PRESENT: Paul Esser; Tiffany O'Hagan; Anthony Peterangelo, Erick Sokn, John Weitekamp, Christa Wilson *(arrived at 1:15 p.m.)*

STAFF: Brad Wojciechowski, Executive Director; Gretchen Mrozinski, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Ashley Sarnosky, Board Administrative Specialist; and other Department staff

CALL TO ORDER

John Weitekamp, Chairperson, called the meeting to order at 11:00 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Item T.2.b. should read 24 PHM 0098 – M.*

MOTION: Paul Esser moved, seconded by Erick Sokn, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 18, 2025

MOTION: Paul Esser moved, seconded by Erick Sokn, to approve the Minutes of December 18, 2025, as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Slate of Officers

NOMINATION: Erick Sokn nominated the 2025 slate of officers to continue in 2026. All officers accepted their nominations.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

2026 ELECTION RESULTS	
Chairperson	John Weitekamp
Vice Chairperson	Tiffany O'Hagan
Secretary	Anthony Peterangelo

Appointments of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Anthony Peterangelo, Tiffany O'Hagan, Christa Wilson
Education and Examinations Liaison(s)	Erick Sokn *Alternate:* John Weitekamp
Monitoring Liaison(s)	Anthony Peterangelo *Alternate*: Erick Sokn
Professional Assistance Procedure (PAP) Liaison(s)	Anthony Peterangelo *Alternate*: Erick Sokn
Travel Authorization Liaison(s)	John Weitekamp *Alternate:* Tiffany O'Hagan
Legislative Liaison(s)	Anthony Peterangelo, Tiffany O'Hagan, John Weitekamp
Pilot Program Liaison(s)	Tiffany O'Hagan, Anthony Peterangelo
Newsletter Liaison(s)	Christa Wilson *Alternate:* John Weitekamp
Website Liaison(s)	Christa Wilson
Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g)	John Weitekamp
PHARM Rep to SCAODA	Erick Sokn *Alternate:* John Weitekamp
Variance Liaison(s)	Tiffany O'Hagan *Alternate:* Anthony Peterangelo
Inspection Liaison(s)	Erick Sokn *Alternate:* Tiffany O'Hagan
SCREENING PANEL APPOINTMENTS	
Screening Panel	John Weitekamp, Tiffany O'Hagan, Erick Sokn, Paul Esser *Alternate:* Anthony Peterangelo
COMMITTEE MEMBER APPOINTMENTS	

Pharmacy Rules Committee	Erick Sokn, Tiffany O'Hagan, Anthony Peterangelo, John Weitekamp
OTHER APPOINTMENTS	
Interdisciplinary Advisory Council	John Weitekamp *Alternate:* Christa Wilson

Delegation of Authorities

Review and Approval of 2025 Delegations including new modifications

MOTION: Tiffany O'Hagan moved, seconded by Erick Sokn, to reaffirm all delegation motions made in 2025, as reflected in the February 26, 2026 agenda materials**,** which were not otherwise modified or amended during the February 26, 2026 meeting. Motion carried unanimously.

11:00 A.M. PUBLIC HEARING FOR EMERGENCY RULE 2601 AND CLEARINGHOUSE RULE 26-013 ON PHAR 1, 6, 7, AND 10, RELATING TO PHARMACY WORKPLACE CONDITIONS

Review public Hearing Comments and Respond to Clearinghouse Report

MOTION: John Weitekamp moved, seconded by Erick Sokn, to accept all Clearinghouse comments for Clearinghouse Rule 26-013 (Phar 1, 6 ,7, and 10), Relating to Pharmacy Workplace Conditions. Motion carried unanimously.

MOTION: Erick Sokn moved, seconded by Tiffany O'Hagan, to authorize the Chairperson to approve the Legislative Report and Draft for Clearinghouse Rule 26-013 (Phar 1, 6 ,7, and 10), Relating to Pharmacy Workplace Conditions for submission to the Governor's Office and Legislature. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS

Consider Attendance: MPJE Item Development Workshop – March 11-13, 2026 – Mt. Prospect, IL

MOTION: Anthony Peterangelo moved, seconded by Erick Sokn, to designate John Weitekamp and Tiffany O'Hagan to attend the MPJE Item Development Workshop on March 11-13 in Mt. Prospect, IL. Motion carried unanimously.

CLOSED SESSION

MOTION: Erick Sokn moved, seconded by Paul Esser, 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: Paul Esser-yes; Tiffany O'Hagan-yes; Erick Sokn-yes; Anthony Peterangelo-yes; and John Weitekamp-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:12 p.m.

CREDENTIALING MATTERS

Application Review

B.P. – Wholesale Distributor Application (IA- 692754)

MOTION: Erick Sokn moved, seconded by Anthony Peterangelo, to authorize Board Counsel to send a three-option letter for application IA-692754 for Wholesale Distributor Application. Motion carried unanimously.

P. – Wholesale Distributor Application (IA-582662)

MOTION: Erick Sokn moved, seconded by John Weitekamp, to authorize Board Counsel to send a three-option letter for application IA-582662 for Pharmacy wholesale distributor license credential. Motion carried unanimously.

Christa Wilson arrived at 1:15 p.m.

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

Administrative Warnings

24 PHM 0170 – O.H.

MOTION: Erick Sokn moved, seconded by Tiffany O'Hagan, to close DLSC Case Number 24 PHM 0170, against O.H. for Prosecutorial Discretion (P1). Motion carried unanimously.

MOTION: Erick Sokn moved, seconded by John Weitekamp, to issue an Administrative Warning in the following DLSC Cases:

1. 24 PHM 0114 – H.K.L.T.
2. 24 PHM 0116 – F.P.
3. 24 PHM 0116 – J.H.B.
4. 25 PHM 0025 – J.A.J.

Motion carried unanimously.

Case Closings

MOTION: Erick Sokn moved, seconded by John Weitekamp, to close the following DLSC Cases for the reasons outlined below:

1. 24 PHM 0046 – W.P., K.G., C.L.N., and D.B. – No Violation
2. 24 PHM 0098 – M. – No Violation
3. 24 PHM 0114 – W. – No Violation
4. 24 PHM 0132 – M.M.P. #132 – No Violation
5. 24 PHM 0134 – M.P. – No Violation
6. 24 PHM 0163 – C.V.S. – No Violation
7. 25 PHM 0025 – W. – Prosecutorial Discretion (P2)
8. 25 PHM 0094 – T.C.I., S.G., P.R.H., M.B., J.D.R., C.F.L.H. and S.A.K. – Prosecutorial Discretion (P2) and No Violation
9. 25 PHM 0103 – A.B. – No Violation
10. 25 PHM 0126 – W. – No Violation
11. 25 PHM 0157 – A.M.I. – Prosecutorial Discretion (P7)

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

25 PHM 0080 – Ann C. Miller

MOTION: Erick Sokn moved, seconded by John Weitekamp, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Ann C. Miller, DLSC Case Number 25 PHM 0080.

DELIBERATION ON PROPOSED FINAL DECISION AND ORDERS

Adrianna P. Bodnarick – DHA Case Number, SPS-25-0072/DLSC Case Number, 24 PHM 0117

MOTION: Paul Esser moved, seconded by Tiffany O'Hagan, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order, in the matter of disciplinary proceedings against Adrianna P. Bodnarick, Respondent – DHA Case Number SPS-25-0072/DLSC Case Number, 24 PHM 0117. Motion carried unanimously.

(John Weitekamp recused and left the room for deliberation and voting in the matter concerning DHA Case Number SPS-25-0072/DLSC Case Number 24 PHM 0117.)

RECONVENE TO OPEN SESSION

MOTION: Paul Esser moved, seconded by Erick Sokn, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 1:43 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Paul Esser moved, seconded by Erick Sokn, 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: Paul Esser moved, seconded by Erick Sokn, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:45 p.m.

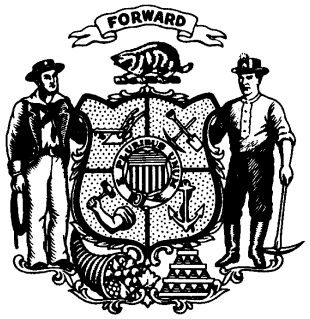
State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		**2) Date when request submitted:** 4/7/2026 **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: 4/16/2026	**5) Attachments:** ☒ Yes ☐ No	**6) How should the item be titled on the agenda page?** Legislative and Policy Matters – Discussion and Consideration 1) 2025 Wisconsin Act 167 relating to Pharmacy Examining Board membership 2) 2025 Wisconsin Act 168 relating to Remote Dispensing Sites	
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:			
11) **Authorization** **4/7/2026** **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



Date of enactment: April 2, 2026
2025 Senate Bill 898 Date of publication*: April 3, 2026

2025 WISCONSIN ACT 167

AN ACT ***to renumber and amend*** 15.405 (9); ***to create*** 15.405 (9) (b) of the statutes; **relating to:** the membership of the Pharmacy Examining Board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.405 (9) of the statutes is renumbered 15.405 (9) (intro.) and amended to read:

15.405 **(9)** PHARMACY EXAMINING BOARD. (intro.) There is created a pharmacy examining board in the department of safety and professional services~~. The pharmacy examining board shall consist~~ consisting of ~~7~~ the following 9 members appointed for staggered 4-year terms~~.~~:

(a) Five ~~of the~~ members ~~shall be~~ who are licensed ~~to practice pharmacy in this state~~ pharmacists under ch. 450.

(e) Two ~~members shall be~~ public members.

SECTION 2. 15.405 (9) (b) of the statutes is created to read:

15.405 **(9)** (b) Two members who are registered pharmacy technicians under ch. 450.

SECTION 3. Nonstatutory provisions.

(1) Notwithstanding the length of terms specified in s. 15.405 (9) (intro.), the initial members of the pharmacy examining board appointed under s. 15.405 (9) (b) shall be appointed for the following terms:

(a) One of the initial members shall be appointed for a term expiring on July 1, 2028.

(b) One of the initial members shall be appointed for a term expiring on July 1, 2030.

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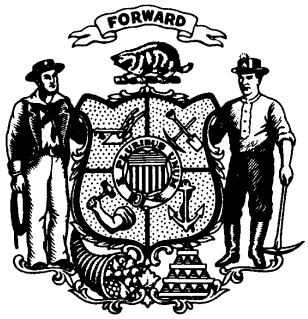
* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

State of Wisconsin



Date of enactment: April 2, 2026
2025 Senate Bill 832 Date of publication*: April 3, 2026

2025 WISCONSIN ACT 168

AN ACT ***to repeal*** 450.09 (2) (b) 1. a. to d.; ***to renumber*** 450.09 (2) (b) 2. b.; ***to renumber and amend*** 450.09 (2) (b) 2. a.; ***to consolidate, renumber and amend*** 450.09 (2) (b) 1. (intro.) and 2. (intro.); ***to amend*** 450.01 (21c), 450.02 (5) and 450.09 (1) (a) of the statutes; **relating to:** remote dispensing sites under the pharmacy practice law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 450.01 (21c) of the statutes is amended to read:

450.01 **(21c)** ~~"Remote dispensing site"~~ "Remotely supervised pharmacy" means a pharmacy governed by s. 450.09 (2) (b) ~~2~~.

SECTION 2. 450.02 (5) of the statutes is amended to read:

450.02 **(5)** The board may promulgate rules governing pharmacies that are operated as ~~remote dispensing sites~~ remotely supervised pharmacies. Rules promulgated under this subsection may exempt pharmacies operated as ~~remote dispensing sites~~ remotely supervised pharmacies from requirements governing pharmacies that are not operated as ~~remote dispensing sites~~ remotely supervised pharmacies.

SECTION 3. 450.09 (1) (a) of the statutes is amended to read:

450.09 **(1)** (a) Every pharmacy shall be under the control of the managing pharmacist who signed the pharmacy license application, the most recent license renewal application or the most recent amended schedule of operations. The managing pharmacist shall be responsible for the professional operations of the pharmacy. A pharmacist may be the managing pharmacist of not more than one community and one institutional pharmacy at any time and shall be engaged in the practice of pharmacy at each location he or she supervises. The board shall by rule define community pharmacy and institutional pharmacy for the purposes of this section, but a pharmacy that is operated exclusively as a ~~remote dispensing site~~ remotely supervised pharmacy shall not be considered a community pharmacy or institutional pharmacy for the purposes of this paragraph.

SECTION 4. 450.09 (2) (b) 1. (intro.) and 2. (intro.) of the statutes are consolidated, renumbered 450.09 (2) (b) (intro.) and amended to read:

450.09 **(2)** (b) (intro.) ~~A~~ If pharmaceutical services are to be provided without a pharmacist ~~is not required to be~~ being present in ~~a~~ the pharmacy ~~if the pharmacy is any of the following locations: 2. Whenever a pharmacist is not present at the pharmacy when allowed under subd. 1.~~, all of the following shall apply:

SECTION 5. 450.09 (2) (b) 1. a. to d. of the statutes are repealed.

SECTION 6. 450.09 (2) (b) 2. a. of the statutes is renumbered 450.09 (2) (b) 1m. and amended to read:

450.09 **(2)** (b) 1m. The pharmacy shall be considered a ~~remote dispensing site~~ remotely supervised pharmacy and shall be subject to and governed by any rules promulgated under s. 450.02 (5).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 7. 450.09 (2) (b) 2. b. of the statutes is renumbered 450.09 (2) (b) 2m.

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**	**4/6/26** **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?
4/16/26	☒ Yes ☐ No	**Administrative Rule Matters – Discussion and Consideration** **1. Final Rule Draft: Phar 7, Relating to Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substance Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check** **2. 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 7 Final Rule Draft and Legislative Report
2. 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 — 4/6/26

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 repeal Phar 7.01 (2) and 7.40 (2); renumber and amend Phar 7.02 (5); amend Phar 7.02 (4), 7.04 (1) (a) (intro.), 7.05 (2) (a) 4., 7.07 (2), 7.08 (1) (a), and 7.42 (2) (intro); to repeal and recreate Phar 7.04 (3); and to create Phar 7.01 (1a), 7.02 (5) (a) and (b), 7.05 (5), 7.16, and 7.43 (4) (d) , relating to Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substance Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 450.02 (2) and (5);450.09 (1) and (2) (b) 2.; and 450.11, Stats.

Statutory authority: ss. 15.08 (5) (b); 450.02 (2) and (5); and 450.02 (3) (a), (b), (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 (2), Stats., states that "the Board shall promulgate rules that do all of the following:
(a) The board shall adopt rules defining 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. 450.68."

Section 450.02 (3) (a), Stats., states "[t]he Board may promulgate rules relating to the manufacture of drugs and the distribution and dispensing of prescription drugs."

Section 450.02 (3) (b), Stats., states "[t]he Board may promulgate rules establishing security standards for pharmacies."

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Section 450.02 (3) (d), Stats., states "[t]he Board may promulgate rules necessary for the administration and enforcement of this chapter and ch. 961."

Section 450.02 (3) (e), Stats., states "[t]he Board may promulgate rules establishing minimum standards for the practice of pharmacy."

Section 450.02 (5), Stats., states "[t]he Board may promulgate rules governing pharmacies that are operated as remote dispensing sites."

Related statute or rule: s. 961.31, Stats.

Plain language analysis: The objective of this rule was to update requirements in Wisconsin Administrative Code Phar 7 to align with current pharmacy practice in the areas of electronic prescriptions, prescription labelling, CPR for pharmacists, controlled substance prescription transfers, remote dispensing, and the definition of a managing pharmacist. Additionally, the rule will implement the statutory changes from 2023 Wisconsin Act 27 by updating requirements for epinephrine delivery systems. This rule updates chapter Phar 7 as follows:

- A definition for "HIPAA" was added to Phar 7.01
- Phar 7.01 (2) was repealed
- Phar 7.02 (4) was amended to include prescriptions sent via secure texting platforms
- Phar 7.02 (5) was amended to include additional requirements for alterations to a prescription
- Phar 7.04 (1) (a) (intro.) was amended so that the section applies to all prescription transfers
- Phar 7.04 (3) was repealed and recreated to include compliance with 21 CFR 1306, the Board will also submit a request to incorporate this standard by reference to the Attorney General as required by the rulemaking process
- Phar 7.05 (2) (a) 4. was amended to say "epinephrine delivery system"
- Phar 7.05 (5) was created to add requirements about labelling non-patient specific compounded preparations
- Phar 7.07 (2) was amended to reflect that final check may involve other pharmacy personnel besides the pharmacist
- Phar 7.08 (1) (a) was amended to include that a prescription that has not been previously dispensed by that pharmacy or a pharmacy in the same computer system
- Phar 7.16 is created to require CPR training and basic life support for all pharmacists who administer drug product or devices or vaccines
- Phar 7.40 (2) was repealed
- Phar 7.42 (2) (intro) was amended to include an updated statute on remote dispensing
- Phar 7.43 (4) (d) was created to clarify that no vaccines or drug product or devices shall be administered at a remote dispensing site

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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: The Pharmacy Examining Board held a Preliminary Hearing on Statement of Scope on August 29, 2024 at 11:00am. No comments were received.

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 that a prescription includes electronically transmitted orders for drugs from a licensed health care prescriber. Additionally, an electronically transmitted prescription means a prescription issued with an electronic signature and is transmitted and stored via electronic means. In Illinois, "remote prescription processing" includes outsourcing certain prescription services to a remote pharmacy. Such services may include entering prescription or patient data into a pharmacy system, drug regimen review, getting refill authorizations and communicating with prescribers, and transferring prescription information. Remote prescription processing may only occur between pharmacies that share a common electronic file or have technology that allows information to be sufficiently processed. Outside of remote prescription processing, Illinois licensees may also engage in "telepharmacy" under certain conditions. In this context, "telepharmacy" means the practice of pharmacy by a pharmacist through telecommunications or other technology. A pharmacy engaged in the practice of telepharmacy shall use an automated pharmacy system and be under the supervision of a pharmacist in charge [225 Illinois Complied Statutes ch. 85 ss. 3, 25.10, and 25.15].

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 that a "remote consultation site" means a site separate from a pharmacy where prescriptions that were filled at that pharmacy are stored and dispensed by a pharmacy technician or student pharmacist under remote supervision of a pharmacist who is located at the home pharmacy. A "remote dispensing site" means a site separate from the home pharmacy where a supply of prescriptions drugs is kept and prescriptions are filled and dispensed by a pharmacy technician or student pharmacist under the remote supervision of a pharmacist who is located at the pharmacy. Additionally, any compounded drug for

office use must have a label with the name, address, and phone number of the compounding pharmacy; the name, strength, and dose of the compounded drug; the pharmacy's lot number and a beyond-use date; quantity or amount; storage instructions or hazardous drug warning labels; and a statement that says "For Office Use Only – Note for Resale." Illinois pharmacies are required to have a Pharmacist-in-Charge, similar to a Managing Pharmacist in Wisconsin, who is responsible for supervision of the activities all employees that relate to the practice of pharmacy, of the method for storage and safekeeping of drugs, of the pharmacy recordkeeping system. The Pharmacist-in-Charge is responsible for the security of the pharmacy along with the pharmacy owner [Illinois Administrative Code ss. 1330.10, 1330.640, and 1330.660].
The Illinois Pharmacy Practice Act Statute and its related Administrative Rules do not appear to address cardiopulmonary resuscitation (CPR) training for pharmacists, epinephrine delivery systems, controlled substance prescription transfers, initial patient consultation, prescription alteration, or final check.

Iowa: The Iowa Board of Pharmacy is responsible for the licensure and regulation of Pharmacy practice in Iowa. Chapter 155A of the Iowa Code contains various statutes regarding pharmacy practice including requirements for a prescription. In Iowa, a prescription is required to be submitted electronically unless it qualifies for an exemption. Some of the exemptions include, a prescription for a device, for a compounded preparation with two or more components, for an opioid antagonist, and for an emergency situation. Exempted prescriptions may be submitted in writing as an original signed by the prescriber, by facsimile, or orally. For prescription alteration, a pharmacist may use professional judgement when making a therapeutic substation to a prescribed drug, unless the prescription includes "dispense as written"[Iowa Code ch. 155A ss. 155A.27 and 155A. 32].
The Iowa Administrative Code also includes various pharmacy practice rules. Some of those requirements include rules for controlled substance prescription transfers, telepharmacy, labelling of non-patient specific compounded prescriptions, and patient consultation. In Iowa, transfers of controlled substance prescriptions is allowed pursuant to 21 CFR 1306 and are limited to authorization by the pharmacist at the patient's request. Telepharmacy requirements include that a telepharmacy site must have a managing pharmacy located in Iowa and an on-site pharmacist at least 16 hours per month. A pharmacist may provide remote supervision of pharmacy personnel at a telepharmacy site. Requirements for labelling of non-patient specific compounded prescriptions include the name, strength, dosage form and quantity; name of each active ingredient; pharmacy name, address, and phone number; preparation and beyond-use date; storage and handling instructions; lot or control number; a statement identifying the prescription as a compounded drug and whether it is sterile; and a statement that the prescription is not for distribution or is limited to direct patient administration. Patient consultation is required prior to dispensing any new or changed prescription. A pharmacist will counsel the patient on matters that the pharmacist determines will enhance drug therapy [481 Iowa Administrative Code ch. 552 ss. 552.8, 552.16, 552.18, 552.21, and 552.23].The Iowa Board of Pharmacy's Administrative Rules and related Statutes do not appear to address CPR training for

pharmacists, managing pharmacist requirements, or final check.
The statutory requirements for epinephrine auto-injectors are located under the Department of Health and Human Services - Public Health chapter instead of the Iowa Board of Pharmacy. In Iowa, a person who is authorized to administer epinephrine must be an employee or agent of a "facility" as defined by statute. Licensed healthcare professionals are to use the name of the facility when prescribing epinephrine auto-injectors. The facility may have a prescription for and maintain a supply of epinephrine auto-injectors at a secure location [Iowa Code ch. 135 s. 135.185].

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. Those regulations include requirements for electronic prescriptions, epinephrine delivery systems, remote dispensing, and pharmacist-in-charge requirements. In Michigan, an electronically transmitted prescription is a prescription communicated via electronic means, such as computer to computer or computer to facsimile machine, but does not include a prescription transmitted by telephone or facsimile machine. For prescribing auto-injectable epinephrine, or an epinephrine delivery system in Wisconsin, a pharmacist may dispense to an authorized entity. Authorized entities include a school board, a person or governmental entity that operates where allergens that can cause anaphylaxis may be present such as an amusement park, religious institution or recreation camp, and an entity eligible under the laws enforcement and firefighter access to epinephrine act. The pharmacist shall use the name of the authorized entity as the name of the patient for the prescription of the auto-injectable epinephrine. Requirements for a remote pharmacy include that both a parent pharmacy and an associated remote pharmacy must have a common owner, both be licensed as pharmacies, and located in the state of Michigan. A remote pharmacy cannot be within 10 miles of another pharmacy unless a waiver has been granted by the Michigan Board. If a pharmacist is not on site at a remote pharmacy, the pharmacist in charge of the parent pharmacy shall ensure that there is a pharmacist overseeing pharmacy technicians at the remote pharmacy via video and a telepharmacy system. A pharmacist cannot oversee 3 or more remote pharmacies at the same time. For a Pharmacist in Charge, or managing Pharmacist in Wisconsin, they are responsible for supervising the practice of pharmacy at the pharmacies they are assigned to. A Pharmacist in Charge may not supervise more than 3 pharmacies at one time, including remote pharmacy sites [Michigan Compiled Laws ss. 333.17703, 333.17742a and b, 333.17744a, and 333.17748].
Additional pharmacy practice regulations are also located in the Michigan Administrative Rules and include requirements on patient consultation. Patient consultation includes that a pharmacist is required to provide consultation on a prescription orally and in-person, except when the patient is not present at the pharmacy. The pharmacist providing the information printed or electronically also satisfies the consultation requirement. Consultation is to be provided with refills if the pharmacist deems it to be appropriate [Michigan Administrative Rules R 338.589 (4)].
The Michigan Board of Pharmacy's statutes and related administrative rules do not appear to address CPR training for pharmacists, labelling of non-patient specific

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compounded prescriptions, controlled substance prescription transfers, prescription alteration, and final check.

Minnesota: The Minnesota Board of Pharmacy is responsible for the licensure and regulation of pharmacy practice in Minnesota. Chapter 151 of the Minnesota Statutes, the Pharmacy Practice and Wholesale Distribution Act, includes pharmacy regulations. In Minnesota, an electronic prescription order is allowed if it has that practitioner's electronic signature. The electronic prescription should contain the same information as any other prescription order [Minnesota Statutes 151.01 (16a)].
Part 6800 of the Minnesota Administrative Code also includes regulations for pharmacy in Minnesota. Some of those regulations include requirements for a Pharmacist-in-Charge, controlled substance prescription transfers, patient consultation, In Minnesota, a Pharmacist-in-Charge is responsible for supervising and establishing the procedures for all pharmacy employees. They also are required to supervise the method of storage of drugs and the record keeping system for pharmacy transactions. A Pharmacist-in-Charge may not be designated to supervise more than one pharmacy. For controlled substance prescription transfers, schedule III-V transfers are allowed pursuant to the requirements of the Drug Enforcement Administration. Schedule II controlled substance prescriptions cannot be transferred. For patient consultation, every pharmacy is required to have a procedure for consultation that allows for oral communication between the patient and the pharmacist about the patient's drug therapy. The pharmacist shall initiate the consultation for any new prescription. The consultation must be in person, whenever applicable, but can be supplemented with written information [Minnesota Administrative Rules part 6800, sections 6800.0910, 6800.2400, 6800.3120].
The Minnesota Board of Pharmacy's statutes and related administrative rules do not appear to address labelling of non-patient specific compounded prescriptions, CPR training for pharmacists, epinephrine delivery systems, remote dispensing, prescription alteration, and final check.

Summary of factual data and analytical methodologies: The Pharmacy Examining Board reviewed Wisconsin Administrative Code chapter Phar 7 and made updates where needed.

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 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, P.O. Box 8366, Madison, Wisconsin 53708-8366; 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 December 18, 2025, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Phar 7.01 (1m) is created to read:

Phar 7.01 (1m) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191.

SECTION 2. Phar 7.01 (2) is repealed.

SECTION 3. Phar 7.02 (4) is amended to read:

Phar 7.02 (4) VERBAL PRESCRIPTION AND PRESCRIPTION VIA SECURE TEXTING PLATFORM. Verbal prescription orders may be received at a pharmacy via a direct conversation, telephone answering device or voice mail. Prescription orders via text may be received at a pharmacy through a HIPAA compliant secure texting platform. The verbal prescription or prescription order via secure texting platform shall be reduced to writing or entered into a computer system under s. Phar 7.11 (2) and the prescription record shall indicate the pharmacist responsible for the accuracy of the prescription information.

SECTION 4. Phar 7.02 (5) is renumbered to 7.02 (5) (intro) and amended to read:

Phar 7.02 (5) ALTERATIONS. Any alterations that modify the original intent of a prescription shall be documented including the identification of the pharmacist responsible for the alteration and the practitioner or practitioner's delegate who authorized the alteration. If an alteration does not modify the original intent of the prescription, the pharmacist shall use their professional judgement when determining

whether it is necessary to contact the practitioner or practitioner's delegate before performing the following alterations to an initial fill of a non-controlled substance prescription:

SECTION 5. Phar 7.02 (5) (a) and (b) are created to read:

Phar 7.02 (5) (a) Changing the quantity, dosage, or directions for use of the medication if doing so does not alter the intended treatment parameters.

(b) Changing the dosage form, with patient consent, if the form dispensed contains the identical amount of the active ingredients as the dosage prescribed and if doing so does not alter the intended treatment parameters.

SECTION 6. Phar 7.04 (1) (a) (intro.) is amended to read:

Phar 7.04 (1) (a) A transfer of prescription order information between pharmacies licensed in this state or another state, ~~for the purpose of original or refill dispensing of non-controlled substances and refills of controlled substances,~~ may occur if all of the following conditions are satisfied:

SECTION 7. Phar 7.04 (3) is repealed and recreated to read:

Phar 7.04 (3) CONTROLLED SUBSTANCES. The transfer of controlled substance prescriptions is allowed consistent with 21 CFR 1306.

SECTION 8. Phar 7.05 (2) (a) 4. is amended to read:

Phar 7.05 (2) (a) 4. For an epinephrine ~~auto-injector~~ delivery system prescribed under s. 118.2925 (3) or 255.07 (2), Stats., the name of the school, authorized entity, or other person specified under s. 255.07 (3), Stats.

SECTION 9. Phar 7.05 (5) is created to read:

Phar 7.05 (5) Notwithstanding sub. (2), compounded preparations prepared by a 503B pharmacy, dispensed or distributed to a practitioner pursuant to a non-patient specific order to be administered by a practitioner or a practitioner's agent shall comply with ch. Phar 15. The pharmacy shall affix a label to any compounded preparation prepared in this manner that includes all of the following:

(a) The name, address, and phone number of the compounding pharmacy.

(b) The name, strength, and dosage form of the compounded drug and a listed of active ingredients and strengths. If the number of active ingredients would prohibit proper labelling, then the pharmacist shall provider to the practitioner a complete list of the active ingredients and strengths, including those listed on the label.

(c) The pharmacy's lot number and a beyond-use date.

(d) The quantity or amount in the container.

(e) The appropriate ancillary instructions, such as storage instructions, cautionary statements, or hazardous drug warning labels when appropriate.

(f) The statement "For Office Use Only – Not for Resale."

SECTION 10. Phar 7.07 (2) is amended to read:

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

SECTION 11. Phar 7.08 (1) (a) is amended to read:

Phar 7.08 (1) (a) Has not been dispensed previously to the patient by that pharmacy or a pharmacy within the same shared computer system.

SECTION 12. Phar 7.16 is created to read:

Phar 7.16 Additional Certification for Pharmacists. Every licensed pharmacist who administers drug product or devices or vaccines pursuant to s. 450.035, Stats., shall maintain current certification in cardiopulmonary resuscitation and basic life support.

SECTION 13. Phar 7.40 (2) is repealed.

SECTION 14. Phar 7.42 (2) (intro) is amended to read:

Phar 7.42 (2) An automated direct-to-patient dispensing system in a secure and professionally appropriate environment in any of the locations under s. ~~450.062 (1) to (4)~~450.09 (2) (b) 1. a. to d., Stats., may operate for purposes of practitioner dispensing. The supervising practitioner will ensure all of the following requirements are met:

SECTION 15. Phar 7.43 (4) (d) is created to read:

Phar 7.43 (4) (d) No vaccines or drug product or devices shall be administered at a remote dispensing site.

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)

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STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	**:**	
PROCEEDINGS BEFORE THE	**:**	**REPORT TO THE LEGISLATURE**
PHARMACY EXAMINING BOARD	**:**	**CR 25-073**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

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

The objective of this rule was to update requirements in Wisconsin Administrative Code Phar 7 to align with current pharmacy practice in the areas of electronic prescriptions, prescription labelling, CPR for pharmacists, controlled substance prescription transfers, remote dispensing, and the definition of a managing pharmacist. Additionally, the rule will implement the statutory changes from 2023 Wisconsin Act 27 by updating requirements for epinephrine delivery systems. This rule updates chapter Phar 7 as follows:

- A definition for "HIPAA" was added to Phar 7.01
- Phar 7.01 (2) was repealed
- Phar 7.02 (4) was amended to include prescriptions sent via secure texting platforms
- Phar 7.02 (5) was amended to include additional requirements for alterations to a prescription
- Phar 7.04 (1) (a) (intro.) was amended so that the section applies to all prescription transfers
- Phar 7.04 (3) was repealed and recreated to include compliance with 21 CFR 1306, the Board will also submit a request to incorporate this standard by reference to the Attorney General as required by the rulemaking process
- Phar 7.05 (2) (a) 4. was amended to say "epinephrine delivery system"
- Phar 7.05 (5) was created to add requirements about labelling non-patient specific compounded preparations
- Phar 7.07 (2) was amended to reflect that final check may involve other pharmacy personnel besides the pharmacist
- Phar 7.08 (1) (a) was amended to include that a prescription that has not been previously dispensed by that pharmacy or a pharmacy in the same computer system
- Phar 7.16 is created to require CPR training and basic life support for all pharmacists who administer drug product or devices or vaccines
- Phar 7.40 (2) was repealed
- Phar 7.42 (2) (intro) was amended to include an updated statute on remote dispensing
- Phar 7.43 (4) (d) was created to clarify that no vaccines or drug product or devices shall be administered at a remote dispensing site

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

The Pharmacy Examining Board held a public hearing on December 18, 2025, on CR 25-073. The following people either testified at the hearing, or submitted written comments:

- Mike Gillard, PharmD, BCPS, FPSW
- Kellen Dorff, PharmD, RPh
- Danielle Womack, Vice President of Public Policy and Advocacy for the Pharmacy Society of Wisconsin (PSW)
- Deeb Eid, PharmD, RPh, FMPLP, Director of Government Affairs at Empower Pharmacy

The Pharmacy Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

- Mike Gillard disagrees with the addition of Phar 7.43 (4) (d) which prohibits vaccinations at remote dispensing sites
- Kellen Dorff disagrees with the change to Phar 7.04 (3) if the intent of the change is to restrict the electronic transfer of initial fill schedule II controlled substance prescriptions
- The PSW submitted the following comments:
    - The reference in section Phar 7.02 (5) (c) should be updated to Phar 7.05 (2) to avoid ambiguity
    - Section Phar 7.04 (1) (a) still limited controlled substance transfers, even though section Phar 7.04 (3) was repealed and recreated
    - The second sentence in section Phar 7.07 (2) should be modified to read "If sub. (1) (a) or (b) is completed by a pharmacy product verification technician under s. Phar 7.14, the prescription record shall identify the pharmacy product verification technician performing the check. If sub. (1) (a) or (b) is completed through automated technology under s. Phar 7.55, the prescription record shall delegate the supervising pharmacist under s. Phar 7.55 (1) (b)."
    - The prohibition on vaccines at remote dispensing sites in section Phar 7.43 (4) (d) should be removed
- Empower Pharmacy submitted the following comments:
    - Section Phar 7.05 (5) should be amended to read "the label shall include the practitioner's name in place of the patient's name and follow requirements for labeling referenced by the Compounding Quality Act Title 1, section 503B."

The Pharmacy Examining Board made the following modifications to its rule-making proposal based on public comments:

- Section Phar 7.04 (1) (a) (intro.) was updated to read "A transfer of prescription order information between pharmacies licensed in this state or another state, may occur if all of the following conditions are satisfied:"
- Section Phar 7.05 (5) was updated to read:

Phar 7.05 (5) Notwithstanding sub. (2), compounded preparations prepared by a 503B pharmacy, dispensed or distributed to a practitioner pursuant to a non-patient specific order to be administered by a practitioner or a practitioner's agent shall comply with ch. Phar 15. The pharmacy shall affix a label to any compounded preparation prepared in this manner that includes all of the following:

(a) The name, address, and phone number of the compounding pharmacy.

(b) The name, strength, and dosage form of the compounded drug and a listed of active ingredients and strengths. If the number of active ingredients would prohibit proper labelling, then the pharmacist shall provider to the practitioner a complete list of the active ingredients and strengths, including those listed on the label.

(c) The pharmacy's lot number and a beyond-use date.

(d) The quantity or amount in the container.

(e) The appropriate ancillary instructions, such as storage instructions, cautionary statements, or hazardous drug warning labels when appropriate.

(f) The statement "For Office Use Only – Not for Resale."

- Section Phar 7.07 (2) was updated to read: "For all prescription drug products or devices dispensed by a pharmacist, the prescription record shall identify the individual responsible for each part of the final check.."

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5b: "In Section 2, consider whether any clarity is lost by removing the definition of "managing pharmacist" while continuing to use the term throughout the chapter, especially when the use of the term is in conjunction with "supervising pharmacist" which is a defined term."

Response: The Board rejects this comment and would like to note that "managing pharmacist" is already defined in chapter Phar 1 and the definitions in that chapter apply to chapters Phar 1 to 19. Therefore, there is no need to define the term again in chapter Phar 7.

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

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A

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Pharmacy Examining Board
Rule Projects (updated 4/16/26)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
Not Assigned Yet	Not Assigned Yet	TBD	Phar 1 and 7	Patient Drug Information Monographs	Scope Statement tabled at 10/16/25 Meeting	TBD
26-013 EmR 2601	002-25	07/13/2027	Phar 1. 6, 7, and 10	Pharmacy Workplace Conditions	Permanent Rule Submitted to Legislature on 3/13/26; Emergency Rule Draft Effective 02/03/26-07/02/26	Permanent Rule Publication and Effective Date TBD
25-073	089-24	05/05/2027	Phar 7	Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substance Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check	Drafting Final Rule and Legislative Report	Submission to Governor and Legislature

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		**2) Date when request submitted:** 3/31/2026 **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: 4/16/2026	**5) Attachments:** ☒ Yes ☐ No	**6) How should the item be titled on the agenda page?** Pharmacies and Final Product Verification Checks – 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: DSPS Pharmacy Practices Consultant will present on pharmacy practice scenarios.			
11) Authorization 3/31/2026 **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.			

Scenario 1:

A pharmacy technician at one pharmacy location is compounding sterile products. Photo images of the compounding process are available to a pharmacist at another pharmacy location. The pharmacist is reviewing the photo images to do the final verification of the product. The pharmacy technician is then releasing the compounded sterile product to a nurse for administration. There is not a pharmacist at the compounding location. (remote dispensing)

OR

Scenario 2:

A pharmacy technician at a clinic location is compounding sterile products. There is not a licensed pharmacy at this location. Photo images of the compounding process are available to a pharmacist at another location. The pharmacist is reviewing the photo images to do the final verification of the product. The pharmacy technician is then releasing the compounded sterile product to a nurse for administration. There is not a pharmacist at the compounding location.

The requirements for visual inspection outlined in USP Chapter <797>:

- The compounded sterile product (CSP) must be visually inspected to determine whether the physical appearance of the CSP is as expected (e.g. free of inappropriate visible particulates or other foreign matter, discoloration or other defects.)
- The CSP label must be visually inspected to confirm that the CSP and its labeling match the prescription or medication order.
- The inspection also must include a visual inspection of container closure (e.g. checking for leakage, cracks in the container, or improper seals)

Thoughts on Scenario 2:

- The clinic is doing the right thing by involving pharmacy professionals in sterile compounding and verification of the final product rather than having a nurse do it.
- Have the workflows established offer unfair advantages to the clinic in avoidance of:
    - personnel costs associated with hiring a pharmacist?
    - costs associated with licensing a pharmacy and maintaining a certified cleanroom facility?
    - the need for inspections?

Questions to be answered:

Is inspection of photos of the sterile compounding process sufficient to meet the visual inspection outlined in USP Chapter <797>?

If the pharmacy technician is employed by the clinic to do sterile compounding, does a pharmacist need to verify the final product? Can a registered pharmacy technician do sterile compounding at a non-pharmacy location?

If the pharmacy technician is employed by the pharmacy but does sterile compounding in a clinic without a licensed pharmacy, is this allowable?

Should the remote dispensing rules apply in the situation where sterile compounding is being done at licensed pharmacy at the clinic and final product verification is done by a pharmacist at another pharmacy? Or should remote dispensing not be allowed for sterile compounding? What about non-sterile compounding?

USP Chapter <797> describes the minimum requirements that apply to all persons who prepare compounded sterile products and all places where compounded sterile products are prepared. However, only the WI Pharmacy Examining Board and the WI Department of Health Services have incorporated these standards into inspections. Should adherence to USP Chapter <797> be enforced statewide and by which agency/board?