
TEXT OF RULE

SECTION 1. Phar 5.02 (1) and (2) are amended to read:

Phar 5.02 (1) A pharmacist shall notify the board ~~in writing~~ when his or her name has been legally changed, within 30 days of the change.

(2) A pharmacist shall notify the board ~~in writing~~ when his or her address has been changed, within 30 days of the change.

SECTION 2. Phar 6.04 (1) is amended to read:

Phar 6.04 (1) PROFESSIONAL SERVICE AREA. ~~The professional service area of a pharmacy shall not be less than 250 sq. ft. No more than 20% of the space may be used for storage of bulk pharmaceuticals. If the pharmacy is open at any time solely as a non-prescription or sundry outlet, without a pharmacist present while the professional service area is closed, the professional service area shall be secured as specified in sub. (3). A variance to the 250 sq. ft. professional service area requirement may be authorized by the board upon submission of a specific plan describing the manner in which the proposed professional service plan varies from the requirement.~~

SECTION 3. Phar 6.04 (3) (title), (a) (intro.), and 2. are amended to read:

Phar 6.04 (3) PROFESSIONAL SERVICE AREA REQUIREMENTS WHERE PHARMACIST IS ABSENT WHEN THE PROFESSIONAL SERVICE AREA IS CLOSED

(a) ~~Except as provided in par. (c), if no pharmacist is present in the professional service area, a pharmacy may convert to a non-prescription or sundry outlet if~~ When the pharmacy professional service area is closed, the pharmacy shall meet all of the following requirements are met:

2. The barrier is locked in the absence of ~~the pharmacist~~ authorized personnel.

SECTION 4. Phar 6.04 (3) (a) 3. is repealed.

SECTION 5. Phar 6.04 (3) (a) 5. and 6. are amended to read:

Phar 7.04 (3) (a) 5. Signs of reasonable size are posted at the entrance of the building and the professional service area prominently displaying the hours the ~~pharmacist will be on duty~~ professional service area is open.

6. The manner in which the telephone is answered does not imply that the ~~location is, at that time, operating as a pharmacy~~ professional service area is open.

SECTION 6. Phar 6.04 (3) (a) 7., (b) and (c) and (4) are repealed.

SECTION 7. Phar 7.04 (3) (intro.) as affected by CR 19-145 is amended to read:

7.04 (3) (intro.) The transfer of original prescription information for a controlled substance listed in Schedule III – ~~IV~~ V shall meet the following requirements:

SECTION 8. Chapter Phar 11 is repealed.

SECTION 9. Phar 12.04 is amended to read:

Phar 12.04 Inspections. Before a license is granted, an inspection of the establishment shall be conducted by the board or its representative to determine if the location meets ~~the standards in 21 USC 351 and 352 (1984) and 21 CFR 210 and 211 (1985)~~ federal and state laws and regulations.

SECTION 10. 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)

9/24/2020 - Pharmacy Examining Board (Open
J. Variances 2) Review, Discussion and Consideration
of Any Proposed Variances b. Variance Requests
Received After Preparation of the Agenda

-----Original Message-----

From: Gerald Freitag <GFreitag4875@att.net>
Sent: Friday, September 18, 2020 11:19 AM
To: DSPS PracticeFAQ3 <DSPSPacticeFAQ3@wisconsin.gov>
Subject: Reviews of temporary regulations

I have reviewed the pharmacy temporary regulations and I believe they should be extended again, until we all feel the corona virus danger is essentially passed and it makes sense to return to original regulations.

Sent from my iPhone 6
Gerald L. Freitag, RPh, NHA, FASCP
Consultant Pharmacist
Notary Public
414-702-4009

From: Hager David R (Pharmacy) <DHager@uwhealth.org>
Sent: Thursday, September 17, 2020 2:16 PM
To: DSPS PracticeFAQ3 <DSPSPacticeFAQ3@wisconsin.gov>
Subject: Variance Feedback

To whom it may concern,

I'd recommend the continuation of variances for:

1. Allowing alternative dispensing locations
2. Relaxing consulting and delivery requirements
3. Extension of licensure of other states to Wisconsin
4. Wholesale distributors to deliver drugs to alternative addresses
5. Wholesaler distribution to Wisconsin facilities who are licensed in other states

With influenza season coming and a continued surge in Wisconsin it is not rational to remove these at this time until we are in a position where we have some more durable solutions to COVID. COVID has not only impacted the ability to complete patient care as normal, but has also slowed the licensure policy due to examination site changes and other barriers. Given these variances are still justified.

I feel less strongly about the PPE variances as it seems like that supply chain has rebounded to some degree. I do not have a recommendation about these variances and would defer to others closer to that use.

Dave

David Hager, PharmD, BCPS

Director, Clinical Pharmacy Services
UW Health
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608-890-8993 (phone); 608-263-9424 (fax); dhager@uwhealth.org

From: John <jrbadtke@aol.com>
Sent: Thursday, September 17, 2020 11:44 AM
To: DSPS PracticeFAQ3 <DSPSPpracticeFAQ3@wisconsin.gov>
Subject: Covid variance

I believe that the “board” has given ample time to complete the required Con Ed credits and should go ahead with the re-issuance of new licenses at this time.

John Badtke RPh
Sent from my iPhone

From: Leung, Vinvia <vinvia.leung@cardinalhealth.com>
Sent: Thursday, September 17, 2020 9:32 AM
To: DSPS PracticeFAQ3 <DSPSPpracticeFAQ3@wisconsin.gov>
Subject: PPE variance extension

Hello,

PPE continues to be in short supply. Please consider extending variance of Phar 15.32(5) to allow pharmacists and compounding personnel to re-use PPE per the pharmacist’s professional judgment.

Thank you,