

UpFront: 2021-2022 Legislative Review

by Danielle Womack, MPH, Daniel Funk, 2022 PharmD Candidate



Over the last year, PSW has made significant progress in advocating for patient-centered care and the pharmacy profession. Several legal updates that impact pharmacy practice were passed and signed into law. Bills impacting the pharmacy profession are summarized below, including the next steps necessary for implementation.

2021 Wisconsin Act 3 *Pharmacy Technician and Pharmacy Student Immunizations* Effective February 21, 2021

- Allows all pharmacy students to administer immunizations under the supervision of any healthcare provider who is also authorized to administer immunizations.
- Allows trained pharmacy technicians to provide immunizations under the supervision of a pharmacist. Required training includes at least 2 hours of training on injection technique and management of adverse events, BLS or CPR certification, and technician certification by PTCB or NHA.
- Allows any person authorized to immunize (pharmacist, pharmacy technician, or student pharmacist) to administer injectable epinephrine or diphenhydramine to treat adverse vaccine reactions without completing a separate non-vaccine injection training.

Are you interested in getting your technicians trained in immunization? Visit the PSW website for [training courses](#) that meet the law's requirements!

2021 Wisconsin Act 9 *Comprehensive PBM Reform*

Fully effective January 1, 2022; some provisions effective as early as March 28, 2021

- Requires pharmacy benefit managers (PBMs) to be licensed by the Office of the Commissioner of Insurance (OCI), giving OCI the authority to audit PBMs and revoke, suspend, or limit their licenses for certain offenses.
- Requires PBMs to report to OCI any rebates from pharmaceutical manufacturers that are not passed on to their health plan.
- Requires PBMs to provide written notice to enrollees 30 days in advance of formulary changes that impact the cost or coverage of their prescriptions.
- Prohibits "gag clauses," in which PBMs restrict pharmacies' ability to notify patients when they could save money by paying out of pocket for a prescription rather than with insurance.
- Limits the frequency that PBMs may change network requirements to once annually and requires PBMs to provide pharmacies with at least 30 days' notice when changes are made.
- Regulates a PBM's ability to audit pharmacies, recoup funds, and report discrepancies to pharmacies.
- Prohibits "clawbacks" in which PBMs retroactively deny or reduce a pharmacy's claim after the adjudication of the claim.

Do you have experiences with a PBM violating the new laws? Check out this [infographic](#) for information on filing a complaint with OCI.

2021 Wisconsin Act 98

Medicaid Provider Status

- Requires the Department of Health Services (DHS) to provide reimbursement under the Medicaid program to pharmacists for providing any reimbursable services within their scope of practice or as delegated by a physician.

DHS is currently working on its State Plan Amendment and necessary rule and policy changes to enact this legislation. We anticipate pharmacists' ability to bill for services will begin in early 2023.

2021 Wisconsin Act 100

Pharmacy Technician Registration

Effective January 1, 2023

- Requires pharmacy technicians to be registered with the Wisconsin Pharmacy Examining Board (PEB).
- Directs PEB to outline activities that define the practice of a pharmacy technician for registration requirement purposes.
- Provides PEB the authority to reprimand, fine, deny, revoke, suspend, or limit the license of pharmacy technicians for certain offenses.
- Allows a pharmacy technician to begin work as a technician once they have applied for registration until and unless the PEB denies their application. Technicians do not need to wait for approval of their registration application to begin work.

The Pharmacy Examining Board is working on rule changes and implementation materials for technician registration. All technicians need to have applied for registration by January 1, 2023. PSW will continue to update members with application materials as they are made available.

2021 Wisconsin Act 101

Remote Dispensing

Effective July 1, 2022

- Requires remote dispensing sites to become licensed by the Pharmacy Examining Board (PEB).
- Permits remote dispensing sites to be supervised by a pharmacist remotely. Previously, on-site pharmacist supervision was required for all licensed pharmacies.
- Allows pharmacies to switch between operating as a remote dispensing site (remotely supervised by a pharmacist) or a pharmacy (pharmacist on site).

The Pharmacy Examining Board is working on rule changes and implementation materials for licensure of remote dispensing sites. PSW will continue to update members with application materials as they are made available.

Looking Forward

As PSW celebrates these accomplishments, we thank the efforts of the pharmacist, pharmacy technician, and student pharmacist members who helped develop the legislative language and advocated for these changes. These accomplishments were made possible in large part by the members who have participated in legislator office visits, testified at committee hearings, and emailed legislators through PSW's [Pharmacy Legislative Action Network \(PLAN\)](#).

Although the changes we have witnessed are encouraging, there is always more advocacy work to be done to enhance pharmacy practice and provide opportunities for pharmacy professionals to better meet the needs of the patients they serve. As the 2021-2022 legislative session comes to a close, we are already preparing for the 2023 legislative session with a renewed sense of optimism. Learn more about how members can contribute to PSW's advocacy efforts at pswi.org/advocacy.



**Pharmacy Society
of Wisconsin**

2022 PSW Conference on Advanced Medication Management for the Elderly

**Tuesday-Wednesday, May 17-18, 2022
Milwaukee Marriott West, Waukesha**



2021 Recipients of the “Bowl of Hygeia” Award



Rebecca Sorrell
Alabama



Richard A. Holt
Alaska



Michael R. Blaire
Arizona



Robert E. Hodge II
Arkansas



Katherine E. Bass
California



Nancy Stolpman
Colorado



Jill Fitzgerald
Connecticut



Megan Willey
Delaware



Paul Ackerman
Florida



Laird Miller
Georgia



Chris Lynch
Illinois



Omolola A. Adeoye-Olatunde
Indiana



Steven W. Saylor
Iowa



Doug Funk
Kansas



Melinda C. Joyce
Kentucky



TJ Woodard
Louisiana



Amelia Arnold
Maine



Charmaine Rochester-Eyeguokan
Maryland



JoAnn Sanborn
Michigan



Bill Mosby
Mississippi



Salim (Sam) Tadrus
Missouri



Mike Bertagnoli
Montana



Jennifer Tilleman
Nebraska



Cheryl Durand
New Hampshire



Lucio R. Volino
New Jersey



Jennifer Ortega
New Mexico



Gary A. Rotella
New York



Mollie Ashe Scott
North Carolina



Terry Altringer
North Dakota



Greg Adams
Oklahoma



Amy D. Valdez
Oregon



Trish Klatt
Pennsylvania



Tara Higgins
Rhode Island



Cheri Kraemer
South Dakota



Thomas Marcom
Tennessee



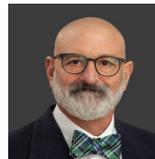
Charlotte Weller
Texas



Gregory Myers
Utah



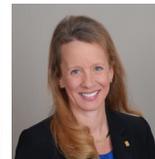
Troy D. Spaulding
Vermont



Charles Tarasidis
Virginia



C. A. Leon Alzola
Washington



Merrie Kay Alzola
Washington



Carolyn Rachel-Price
Washington DC



Krista D. Capehart
West Virginia



Hashim Zaibak
Wisconsin



Craig Frederick
Wyoming

Photo Not Available
David E. Burke
Ohio

Photo Not Available
John T. Johnson
South Carolina

Photo Not Available
Fran D'Egidio
West Virginia
2020 Recipient
Presented in 2021



The Bowl of Hygeia award program was originally developed by the A. H. Robins Company to recognize pharmacists across the nation for outstanding service to their communities. Selected through their respective professional pharmacy associations, each of these dedicated individuals has made uniquely personal contributions to a strong, healthy community. We offer our congratulations and thanks for their high example. The American Pharmacists Association Foundation, the National Alliance of State Pharmacy Associations and the state pharmacy associations have assumed responsibility for continuing this prestigious recognition program. All former recipients are encouraged to maintain their linkage to the Bowl of Hygeia by emailing current contact information to awards@naspa.us. The Bowl of Hygeia is on display in the APhA History Hall located in Washington, DC.