

# State of Wisconsin



2019 Senate Bill 38

Date of enactment:  
Date of publication\*:

## 2019 WISCONSIN ACT

AN ACT *to create* 450.03 (1) (j) of the statutes; **relating to:** dispensing, distributing, or selling dialysate drugs or devices necessary for providing home peritoneal kidney dialysis.

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

**SECTION 1.** 450.03 (1) (j) of the statutes is created to read:

450.03 (1) (j) A person who dispenses, distributes, or sells dialysate drugs or devices necessary for providing home peritoneal kidney dialysis to a patient with end-stage renal disease if all of the following apply:

1. The person is licensed under s. 450.07 or 450.071, or is an agent of a person licensed under s. 450.07 or 450.071.
2. The person lawfully holds the dialysate drugs or devices.
3. The dialysate drugs or devices are held and delivered in their original, sealed packaging from the manufacturing facility.

4. The dialysate drugs or devices are delivered only pursuant to a prescription order issued by a licensed physician and only if an order from a licensed pharmacy is transmitted to the person.

5. The dialysate drugs or devices are delivered to one of the following:

- a. A patient with end-stage renal disease or the patient's designee, for the patient to self-administer the dialysis therapy.
- b. A health care provider or institution, for administration or delivery of the dialysis therapy to a patient with end-stage renal disease.

6. If required by federal law, the dialysate drugs or devices are approved or cleared by the federal food and drug administration.

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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."