



## STATE OF WISCONSIN

Department of Safety and Professional Services  
1400 E Washington Ave.  
Madison WI 53703

Mail to:  
PO Box 8935  
Madison WI 53708-8935

Email: [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov)  
Web: <http://dsps.wi.gov>  
Phone: 608-266-2112

**Governor Scott Walker      Secretary Dave Ross**

---

### **Positions Statements Related to Prescription Drug or Device Manufacturer Issued by the Pharmacy Examining Board**

#### **WHEN MUST A PRESCRIPTION DRUG DISTRIBUTOR OR DRUG MANUFACTURER BE LICENSED TO DO BUSINESS IN WISCONSIN?**

First, note that Wisconsin only requires a license for wholesale drug distribution for prescription drugs. No license to distribute non prescription drugs or any type device is necessary.

Often, distributors will contact the department to inquire whether the drug that they distribute is a prescription drug. A distributor should contact the manufacturer to obtain this information.

#### **Business Models and the Requirements for Licensure**

The following information is provided to business entities to be used as an aid in determining whether or not they need a particular license to do business in Wisconsin.

#### **Drug Manufacturers**

- 1.** Drug or device manufacturing facilities which are located within the state of Wisconsin are required to obtain a manufacturer's license from the Pharmacy Examining Board. A Wisconsin manufacturing facility that also distributes prescription drugs at wholesale does not need a wholesale prescription drug distributor's license.
- 2.** A corporate headquarters located in this state, of a drug manufacturer, does not need to be licensed as a manufacturer if the headquarters is not a facility where manufacturing occurs.
- 3.** The pharmacy laws in this state do not prohibit a business arrangement where a drug manufacturer retains title to prescription drugs distributed to pharmacies until the medications are actually sold to a consumer pursuant to a prescription order.
- 4.** An out-of-state manufacturing facility that engages in the wholesale distribution of its own prescription drugs in this state, does not need to be licensed as a wholesale prescription drug distributor.

#### **Prescription Drug Distributors**

- 1.** A wholesale distributor's license does not authorize a facility to dispense prescription drugs directly to patients pursuant to a prescriber's prescription order. Dispensing directly to patients under a prescription order requires a pharmacy license.

**2.** Out-of-state or in-state wholesale distributors of prescription drugs are required to obtain a distributor's license in Wisconsin for each facility from which the prescription drugs are distributed.