

**CONTROLLED SUBSTANCES BOARD
TELECONFERENCE MINUTES
JUNE 17, 2010**

PRESENT: Yvonne Bellay, DVM; Robert Block, Darold Treffert, MD

VIA PHONE: Timothy Boehmer, R.Ph.; Doug Engelbert, R.Ph.; Cecelia Hillard, Ph.D.

STAFF: Gail Sumi, Bureau Director; Michele Miller Hayes, Legal Counsel; Karen Rude-Evans, Bureau Assistant

GUEST: David Rebedew

CALL TO ORDER

Darold Treffert, Chair, called the meeting to order at 9:31 a.m. A quorum of six (6) members was confirmed.

APPROVAL OF AGENDA

Addendum:

- Update and Possible Consideration of the Proposed Order Amending the Administrative Rules Adding Lisdexamfetamine as a Schedule II Controlled Substance

MOTION: Cecelia Hillard moved, seconded by Robert Block, to approve the agenda with the published addendum. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 4, 2010

MOTION: Robert Block moved, seconded by Yvonne Bellay, to approve the minutes of March 4, 2010 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

DRL Staff Updates

Gail Sumi introduced new legal counsel Michele Miller Hayes. Ms. Miller Hayes gave a brief history of her background and looks forward to working with this Board.

Update on Board Vacancies

Cecelia Hillard intends to resign at the end of 2010. The Board discussed possible candidates to fill that vacancy. Gail Sumi will work with Cecelia Hillard to facilitate a smooth transition.

UPDATE AND POSSIBLE CONSIDERATION OF THE PROPOSED ORDER AMENDING THE ADMINISTRATIVE RULES ADDING LISDEXAMFETAMINE AS A SCHEDULE II CONTROLLED SUBSTANCE

Robert Block addressed the Board regarding lisdexamfetamine and possibly amending the administrative rules adding this drug as a Schedule II controlled substance. This drug has been controlled at the federal level since 2007.

Rules cannot be sent to the legislature after August 30 for the remainder of 2010. The rule will first have to have a fiscal estimate and must be reviewed by the SBRAC. It will not be sent to the Legislature until January 2011 at the earliest. If a public hearing is needed, our goal is to have the rule to the point where it can be scheduled for the next Board meeting on September 9, 2010.

MOTION: Cecelia Hillard moved, seconded by Robert Block, to approve the Proposed Order amending the administrative rules adding lisdexamfetamine as a Schedule II controlled substance. Motion carried unanimously.

SPECIAL USE AUTHORIZATION PERMIT REPORT

Yvonne Bellay brought up the issue of some humane societies' use of controlled substances above the amounts approved on their SUA permit. Dr. Bellay has consulted with the Department on these renewal permits and authorized the previously approved amounts and sent a letter stating that if the humane society will exceed that amount, they must file the appropriate amendment application for review.

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Tim Boehmer suggested the Department send an investigator to inspect the facilities that grossly exceed the approved amounts of drugs on the SUA. Dr. Treffert has requested a summary of facilities that have a history of exceeding their SUA for review at the next Board meeting.

**PRESENTATION AND REVIEW OF SPECIAL USE AUTHORIZATION
APPLICATIONS THAT MAY BE RECEIVED AFTER PREPARATION OF THE
AGENDA**

None.

PRACTICE QUESTIONS

A practice question answered by the Pharmacy Examining Board was provided for review. The Board discussed the return of medications to pharmacies. Pharmacies cannot accept returns of controlled substances. Most counties have “Med Drops” twice a year. La Crosse County has a year-round med drop program.

**BOARD REVIEW AND POSSIBLE CONSIDERATION OF A BOARD POSITION ON
LEGISLATION AND LEGISLATIVE ISSUES**

Assembly Bill 227, relating to the creation of a prescription drug monitoring program, signed into law by Governor Doyle on May 18, 2010, now 2009 Wisconsin Act 362

Tim Boehmer reported the Pharmacy Examining Board (PEB) is just starting the process of reviewing the prescription drug monitoring programs in neighboring states. The Alliance of States with a Prescription Drug Monitoring Program will give a presentation at the next PEB meeting. The rule-writing process cannot begin until federal money is available.

Assembly Bill 186, relating to Salvinorin A, signed into law by Governor Doyle on March 2, 2010, now Wisconsin Act 141

Robert Block wrote an article on this bill for the Wisconsin Prosecutors’ Newsletter. It is now illegal in Wisconsin to manufacture, distribute or sell Salvinorin A.

Assembly Bill 740, relating to growing and processing industrial hemp, failed to pass and update on status of medical marijuana bills nationwide and specifically Washington D.C.'s new law and California's Ballot initiative

AB 740 failed to get out of committee. Washington D.C. is considering a medical marijuana law with specific restrictions. The D.C. proposal eliminates "grow your own" medical marijuana and limits the number of authorized dispensaries. The California initiative is less restrictive and has some provisions that are of concern to the medical profession. Dr. Treffert stated his concern that approval of medical marijuana could lead to further efforts to legalize marijuana.

UPDATE ON SATIVEX STAGE III TRIALS IN THE UNITED STATES

Dr. Treffert said Stage III trials of Sativex have been approved in the United States. This product is currently available by prescription in Europe. Sativex could be used as an alternative to medical marijuana.

REVIEW AND POSSIBLE BOARD CONSIDERATION OF DEA E-PRESCRIBING RULES

The Board reviewed the DEA e-prescribing rules for controlled substances. This allows electronic prescriptions for controlled substances with specific security guidelines.

STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE

Doug Engelbert said the Council met last week and focused on alcohol abuse and resources related to veterans. A subcommittee will be formed to review prescription drug abuse.

CONTROLLED SUBSTANCES THEFT AND LOSS REPORTS

The Board reviewed the Theft and Loss Reports.

PUBLIC COMMENTS

None.

ADJOURNMENT

MOTION: Cecelia Hillard moved, seconded by Robert Block, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 11:14 a.m.

THE NEXT MEETING IS SCHEDULED FOR SEPTEMBER 9, 2010