

**CONTROLLED SUBSTANCES BOARD
MINUTES
STATE CRIME LAB, MADISON WI
DECEMBER 16, 2010**

PRESENT: Yvonne Bellay, DVM (via teleconference); Robert Block; Timothy Boehmer, R.Ph. (via teleconference); Doug Englebert, R.Ph. (via teleconference); Cecelia Hillard, Ph.D.; Darold Treffert, MD

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

GUESTS: Alan Bloom, MCW; Dave Hannon, Martin Koch and Amanda Hanson, Wisconsin State Crime Lab

CALL TO ORDER

Darold Treffert, Chair, called the meeting to order at 9:35 a.m. A quorum of six (6) members was confirmed.

INTRODUCTIONS

Robert Block introduced staff from the Wisconsin State Crime Lab. Cecelia Hillard introduced Alan Bloom from the Medical College of Wisconsin.

APPROVAL OF AGENDA

Amendments:

- Under Item F, under Articles Related to K2, insert after page 98:
 - Memo from Robert Block regarding Synthetic Cannabinoid Legislation
 - The Journal Sentinel - More Suburbs Ban Synthetic Pot
 - Ivory Wave
 - USA Today – U.S.: More teens smoke marijuana than cigarettes
- Under Item I, insert after page 120 – Chapter Phar 8 for review

MOTION: Robert Block moved, seconded by Timothy Boehmer, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 9, 2010

Corrections:

- On page 4, under BOARD REVIEW AND CONSIDERATION OF K2
 - In the heading, correct the spelling of REVIEW
 - In the second sentence, insert “not” after “does”

MOTION: Timothy Boehmer moved, seconded by Robert Block, to approve the minutes of September 9, 2010 as corrected. Motion carried unanimously.

ADMINISTRATIVE REPORT

Recognition Of and Thank You to Cecelia Hillard

Darold Treffert presented a plaque to Cecelia Hillard on behalf of Governor Doyle. Dr. Treffert thanked Dr. Hillard for her service and expertise. This is Dr. Hillard’s last Board meeting.

DRL Staff Updates

Nora Wilson reported there will be many staff changes at DRL in January when Governor-Elect Walker takes office. This is Ms. Wilson’s last meeting with the Board.

2011 OFFICER ELECTIONS

MOTION: Timothy Boehmer moved, seconded by Cecelia Hillard, to nominate Robert Block for Chair.

Chair Darold Treffert called for nominations three times. Hearing no other nominations, Robert Block was elected Chair by unanimous consensus.

MOTION: Timothy Boehmer moved, seconded by Cecelia Hillard, to nominate Darold Treffert for Vice Chair.

Chair Darold Treffert called for nominations three times. Hearing no other nominations, Darold Treffert was elected Vice Chair by unanimous consensus.

MOTION: Robert Block moved, seconded by Timothy Boehmer, to nominate Yvonne Bellay for Secretary.

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Chair Darold Treffert called for nominations three times. Hearing no other nominations, Yvonne Bellay was elected Secretary by unanimous consensus.

2011 ELECTION RESULTS	
Chair	Robert Block
Vice Chair	Darold Treffert
Secretary	Yvonne Bellay

PDMP UPDATE

Michele Miller Hayes reported in September the grants necessary for the implementation of the PDMP require rules to be in place with specific requirements; however the Wisconsin legislation requires grant monies before the rule-writing process can begin. The Pharmacy Examining Board (PEB) is currently focusing on applying for grants. An additional PEB meeting will be held in late January or early February to review PDMP applications for the Harold Rogers grant, which has April and August deadlines.

NASCSA EDUCATIONAL CONFERENCE HELD IN CHARLESTON SC – OCTOBER 19-22, 2010

Robert Block reported on the National Association of State Controlled Substances Authorities (NASCSA) 29th Annual Educational Conference held in Charleston, SC, on October 19-22, 2010. The Conference was well attended with over 120 attendees from more than thirty nine states. There were many informative presentations and the resources and contacts made will be very useful. All the presentations from this conference are available at www.nascsa.org.

ALLIANCE OF STATES WITH PRESCRIPTION MONITORING PROGRAMS (ASPMP), NATIONAL MEETING ON LEGISLATION AND IMPLEMENTATION HELD IN CHARLESTON SC – OCTOBER 18-19, 2010

Nora Wilson reported on the ASPMP, National Meeting on Legislation and Implementation held in Charleston, SC, on October 18-19, 2010. The ASPMP provides a forum for information sharing on prescription monitoring programs (PMPs) among state and federal agencies seeking to curtail drug diversion and abuse while ensuring patient care. The main topics covered were:

- Educating stakeholders and the public about PMP's
 - Identifying and using data sources to support a PMP
 - Funding mechanisms and business models
 - Understanding the legislative process

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- PMP model act
- Laws and regulations, process and outcome evaluation
- Establishing baselines, key resources for assistance, RFP process
- Data collection, storage and reporting vendor and user training
- Use of PMP data and action plans

All the presentations from this meeting are available at www.pmpallince.org .

SPECIAL USE AUTHORIZATION (SUA) PERMIT REPORT

There are several humane societies that habitually use more product than authorized in their SUA permit. This issue needs to be addressed and Cecelia Hillard stated the DEA may not approve of how Wisconsin is handling these permits.

DELEGATE SUA RESEARCH PERMIT APPROVAL EFFECTIVE JANUARY 1, 2011

Cecelia Hillard was handling the review of SUA research permits but with her resignation this task needs to be reassigned.

MOTION: Cecelia Hillard moved, seconded by Timothy Boehmer, to appoint Robert Block as the SUA liaison for research permits. Motion carried unanimously.

PRESENTATION AND REVIEW OF SPECIAL USE AUTHORIZATION APPLICATIONS INCLUDING ANY THAT MAY BE RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA

JEFFERY MENSINGER, CLEAN HARBOR ARAGONITE, LLC

The Board reviewed the SUA application for Jeffery Mensinger and Clean Harbor Aragonite, LLC. The Board needs more information from the applicant before a determination can be made regarding the SUA permit.

BOARD RULEMAKING

Review of Scope Statement Pertaining to Special Use Authorization Permits

MOTION: Yvonne Bellay moved, seconded by Robert Block, to approve the scope statement pertaining to special use authorization permits for publication. Motion carried unanimously.

Approval to Submit Lisdexamfetamine Rule to the Legislature on January 3, 2011

MOTION: Cecelia Hillard moved, seconded by Timothy Boehmer, to approve and send the Lisdexamfetamine rule to the legislature. Motion carried unanimously.

Review and Consideration to Adding HU 210 to the Controlled Substances List

Robert Block requested to postpone this matter. He is currently working on drafting legislation to include this with synthetic cannibanooids.

PRACTICE QUESTIONS

There were no practice questions.

BOARD DISCUSSION REGARDING SYNTHETIC MARIJUANA/ K2

Robert Block explained that synthetic THC is not the same as synthetic cannibanooids. THC is found in marijuana plants and can be extracted from marijuana or synthetically produced by chemicals, which is both costly and time consuming which makes it impractical. Synthetic marijuana, also known as K2 and Spice, is a “created” marijuana and contains no THC.

Mr. Block wrote a letter to the State legislators to explain why synthetic marijuana cannot be controlled by the CSB.

Letter from Senator Coggs

The Board reviewed the letter from Senator Coggs in response to contact from Dr. Treffert.

Preliminary Draft for Wisconsin Legislation/ Proposed Language for 961.14(4)

The Board reviewed the draft language. Robert Block has been in touch with the Department of Justice (DOJ) legislative liaison and the draft language needs to be revised. Mr. Block drafted language changes to Ch. 961.14(4) which must now be reviewed with DOJ.

Milwaukee Ordinance

This information was noted.

Examples from Other States

- **State Bill Status**
This information was noted.
- **Oregon**
This information was noted.
- **Texas**
This information was noted.
- **Missouri**
This information was noted.

DEA Solicitation Memo

This information was noted.

Questions from DOJ – Robert Block

The Board reviewed the correspondence from Robert Block regarding the scheduling of controlled substances.

Articles Related to K2

This information was noted.

BOARD DISCUSSION REGARDING CALIFORNIA PROPOSITION 19

Marijuana was decriminalized just prior to the last election. Proposition 19 most likely failed as it is no longer needed. Robert Block said this issue will resurface. In Wisconsin individuals are not charged with possession of marijuana, but possession of THC.

INFORMATIONAL ITEMS

The informational items were noted.

CONTROLLED SUBSTANCES THEFT AND LOSS REPORT

The Theft and Loss Report was reviewed. Timothy Boehmer said the term “significant loss” needs to be clarified.

PUBLIC COMMENTS

None.

ADJOURNMENT

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

The meeting adjourned at 11:49 a.m.