

**CONTROLLED SUBSTANCES BOARD  
MEETING MINUTES  
October 6, 2015**

**PRESENT:** Doug Englebert, Franklin LaDien, Gunnar Larson (*via GoToMeeting, joined the meeting at 9:31 a.m. and was excused from the meeting at 12:50 p.m.*), Jeffrey Miller, Patrick Mitchell, Wendy Pietz, Timothy Westlake

**EXCUSED:** Alan Bloom, Yvonne Bellay

**STAFF:** Chad Zadrazil – Managing Director; Andrea Magermans – Deputy Managing Director, Nilajah Hardin - Bureau Assistant; Sharon Henes - Administrative Rules Coordinator; and other DSPS Staff

**CALL TO ORDER**

Doug Englebert called the meeting to order at 9:30 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Timothy Westlake moved, seconded by Franklin LaDien, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF AUGUST 14, 2015**

**MOTION:** Franklin LaDien moved, seconded by Jeffrey Miller, to approve the minutes of August 14, 2015 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

*Gunnar Larson joined the meeting at 9:31 a.m.*

**PUBLIC HEARING: CLEARINGHOUSE RULE 15-070 RELATING TO SUBMISSION OF DATA TO PRESCRIPTION DRUG MONITORING PROGRAM (PDMP)**

**MOTION:** Timothy Westlake moved, seconded by Wendy Pietz, to accept all Clearinghouse comments for CR 15-070 relating to Submission of Data to the Prescription Drug Monitoring Program. Motion carried unanimously.

**MOTION:** Jeffrey Miller moved, seconded by Franklin LaDien, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-070 relating to Submission of Data to the Prescription Drug Monitoring Program for submission to the Governor's Office and Legislature. Motion carried unanimously.

**MOTION:** Franklin LaDien moved, seconded by Patrick Mitchell, to authorize the Chair to draft a letter to be presented to the DSPS Secretary by Timothy Westlake, and a maximum of one other member of the Board, regarding a request for approval of a delay until April 9, 2017 for Clearinghouse Rule 15-070 relating to Submission of Data to the Prescription Drug Monitoring Program. Motion carried unanimously.

### **PRESCRIPTION DRUG MONITORING PROGRAM (PDMP)**

#### **PDMP Referral Process**

**MOTION:** Patrick Mitchell moved, seconded by Jeffrey Miller, to delegate to DSPS Staff the referral of Pharmacies that have not responded within deadlines established in communications regarding non-compliance to the Pharmacy Examining Board Screening Panel. Motion carried unanimously.

**MOTION:** Jeffrey Miller moved, seconded by Patrick Mitchell, to **rescind** the following motion from the 08/14/15 meeting: *“Franklin LaDien moved, seconded by Timothy Westlake, to address quarterly compliance issue reports with the PDMP program, DSPS Staff is delegated the authority to send a letter to gain compliance, and if compliance is not gained the dispenser will be referred to the Controlled Substances Board”*. Motion carried unanimously.

#### **PDMP Dispenser Compliance Audit**

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to designate the Chair to approve the PDMP Compliance Audit letters provided by DSPS Staff with the following amendment and any additional changes made by the Chair: failure to submit data to the PDMP will result in referral to the Pharmacy Examining Board for investigation and possible disciplinary action. Motion carried unanimously.

**MOTION:** Timothy Westlake moved, seconded by Wendy Pietz, to address quarterly compliance issue reports with the PDMP program, DSPS Staff is delegated the authority to send a letter to gain compliance. Motion carried unanimously.

#### **Minnesota PDMP Letter Regarding Interstate Data**

**MOTION:** Timothy Westlake moved, seconded by Jeffrey Miller, to authorize DSPS Staff to draft a letter to the Minnesota Board of Pharmacy regarding interstate PDMP data and include a request for access to Minnesota PDMP data for all Wisconsin delegates. In addition, the Board grants access to Minnesota delegates to Wisconsin PDMP data. Motion carried unanimously.

**WI E-PDMP Scope**

**MOTION:** Patrick Mitchell moved, seconded by Jeffrey Miller, to delegate Timothy Westlake and, as alternates Wendy Pietz and Franklin LaDien, to the WI E-PDMP Executive Committee. Motion carried unanimously.

*Gunnar Larson was excused from the meeting at 12:50 p.m.*

**LEGISLATION AND RULE MATTERS**

**Adopt CR 15-007, Relating to Rescheduling Hydrocodone Combination Products**

**MOTION:** Jeffrey Miller moved, seconded by Franklin LaDien, to approve the Adoption Order for Clearinghouse Rule 15-007 relating to Rescheduling Hydrocodone Combination Products. Motion carried unanimously.

**Adopt CR 15-008, Relating to Scheduling Tramadol**

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to approve the Adoption Order for Clearinghouse Rule 15-008 relating to Scheduling Tramadol. Motion carried unanimously.

**Adopt CR 15-009, Relating to Scheduling Suvorexant**

**MOTION:** Jeffrey Miller moved, seconded by Franklin LaDien, to approve the Adoption Order for Clearinghouse Rule 15-009 relating to Scheduling Suvorexant. Motion carried unanimously.

**Clearinghouse Report for CR 15-068, Relating to Exclusion of Naloxegol**

**MOTION:** Timothy Westlake moved, seconded by Jeffrey Miller, to reject Clearinghouse comment numbers 4 and 5(a-c), and to accept all remaining Clearinghouse comments for Clearinghouse Rule 15-068 relating to Exclusion of Naloxegol. Motion carried unanimously.

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-068 relating to Exclusion of Naloxegol for submission to the Governor's Office and Legislature. Motion carried unanimously.

**Federal Exclusion of Ioflupane**

**MOTION:** Franklin LaDien moved, seconded by Jeffrey Miller, to authorize the Chair to approve the affirmative action order for the exclusion of Ioflupane pending receipt of objections dissimilarly scheduling before October 11, 2015. Motion carried unanimously.

**Draft Amending CSB 3, Relating to Special Use Authorization**

**MOTION:** Patrick Mitchell moved, seconded by Wendy Pietz, to designate the Chair to approve the preliminary rule draft of CSB 3 relating to Special Use Authorization for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**Proposals for Amending CSB 4, Relating to Prescription Drug Monitoring Program Operation**

**MOTION:** Timothy Westlake moved, seconded by Jeffrey Miller, to designate the Chair to serve as liaison to DSPS staff for drafting CSB 4 relating to Prescription Drug Monitoring Program Operation. Motion carried unanimously.

*The Board acknowledges the appointment of Timothy Westlake as alternate Legislative Liaison.*

**ADJOURNMENT**

**MOTION:** Jeffrey Miller moved, seconded by Franklin LaDien, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:38 p.m.