

**CONTROLLED SUBSTANCES BOARD  
MEETING MINUTES  
JULY 13, 2016**

**PRESENT:** Yvonne Bellay, Doug Englebert, Franklin LaDien, Gunnar Larson (*via GoToMeeting*), Jeffrey Miller (*via GoToMeeting, was excused from the meeting at 11:28 a.m.*), Wendy Pietz, Jason Smith, Timothy Westlake (*via GoToMeeting, joined the meeting at 9:31 a.m. and was excused at 10:41 a.m.*)

**EXCUSED:** Alan Bloom

**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 eight (8) members was confirmed.

**ADOPTION OF AGENDA**

*Timothy Westlake joined the meeting at 9:31 a.m.*

**Amendments to the Agenda:**

- *Move Item F: “Update on the Wisconsin State Coalition for Prescription Drug Abuse Reduction – Discussion and Consideration” and Item G: “Controlled Substance Prescribing Guidelines (2015 Act 269) – Discussion and Consideration” to occur immediately after Item C: “Administrative Matters”*

**MOTION:** Yvonne Bellay moved, seconded by Franklin LaDien, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES**

**March 15, 2016**

**MOTION:** Franklin LaDien moved, seconded by Jeffrey Miller, to approve the minutes of March 15, 2016 as published. Motion carried unanimously.

**April 20, 2016**

**MOTION:** Franklin LaDien moved, seconded by Yvonne Bellay, to approve the minutes of April 20, 2016 as published. Motion carried unanimously.

**June 9, 2016**

**MOTION:** Franklin LaDien moved, seconded by Yvonne Bellay, to approve the minutes of June 9, 2016 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS****Liaison Appointments*****Prescription Drug Monitoring Program (PDMP) Liaison***

| <b>2016 LIAISON APPOINTMENTS</b> |  |
|----------------------------------|--|
| <b>PDMP Liaison</b>              | Timothy Westlake<br>(Alternate: Wendy Pietz) |

**MOTION:** Franklin LaDien moved, seconded by Yvonne Bellay, to affirm the Chair's appointment of the PDMP Liaison and alternate. Motion carried unanimously.

**WAUPACA COUNTY DISTRICT ATTORNEY'S REQUEST REGARDING FURANYL**

**MOTION:** Timothy Westlake moved, seconded by Franklin LaDien, to approve the Scope Statement on CSB 2 relating to Additions to Schedules in Chapter 961 for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**MOTION:** Wendy Pietz moved, seconded by Yvonne Bellay, to authorize the Chair to approve the emergency rule draft of CSB 2 relating to Additions to Schedules in Chapter 961 for submission to the Governor's Office and Publication. Motion carried unanimously.

**DEA REGISTRATION REQUIREMENT GUIDANCE REQUEST**

**MOTION:** Wendy Pietz moved, seconded by Jeffrey Miller, to request DSPS staff draft a letter on behalf of the Chair in response to the request for guidance from the Wisconsin Veterinary Medical Association. Motion carried unanimously.

*Timothy Westlake was excused from the meeting at 10:41 a.m.*

**ePDMP DEVELOPMENT UPDATE****ASAP Format Identification**

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to utilize software version 4.2 of the American Society for Automation in Pharmacy (ASAP) for the PDMP in Wisconsin. Motion carried unanimously.

**Survey of Users**

**MOTION:** Franklin LaDien moved, seconded by Wendy Pietz, that ePDMP Survey questions are reviewed by Wendy Pietz and Timothy Westlake prior to the release of the survey. Motion carried unanimously.

*Jeffrey Miller was excused from the meeting at 11:28 a.m.*

## **LEGISLATION AND RULE MATTERS**

### **Adopt Clearinghouse Rule 15-068 Relating to the Exclusion of Naloxegol from Scheduling**

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to approve the Adoption Order for Clearinghouse Rule 15-068 Relating to the Exclusion of Naloxegol from Scheduling. Motion carried unanimously.

### **Adopt Clearinghouse Rule 15-083 Relating to Special Use Authorization Measurements**

**MOTION:** Yvonne Bellay moved, seconded by Wendy Pietz, to approve the Adoption Order for Clearinghouse Rule 15-083 Relating to Special Use Authorization Measurements. Motion carried unanimously.

### **Scope for CSB 2.40 Relating to Exclusion of [<sup>123</sup>I]ioflupane**

**MOTION:** Franklin LaDien moved, seconded by Wendy Pietz, to approve the Scope Statement on CSB 2.40 relating to Exclusion of [<sup>123</sup>I]ioflupane for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

### **Affirmative Action Order Relating to Butyryl Fentanyl and Beta-Hydroxythiofentanyl**

**MOTION:** Wendy Pietz moved, seconded by Yvonne Bellay, to affirm the scheduling of Butyryl Fentanyl and Beta-hydroxythiofentanyl to Schedule I to take effect on July 18, 2016 to allow for publication in the Administrative Register. Motion carried unanimously.

### **Proposals for Amending CSB 4 Relating to Prescription Drug Monitoring Program (Acts 266, 267 and 268)**

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to authorize Chair to approve the emergency rule draft of CSB 4 relating to Prescription Drug Monitoring Program (Acts 266, 267 and 268) for submission to the Governor's Office and Publication and the corresponding preliminary rule draft for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Yvonne Bellay moved, seconded by Wendy Pietz, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), 440.205, and 961.385(2)(c) Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Doug Englebert, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Yvonne Bellay-yes, Doug Englebert-yes; Franklin LaDien-yes; Gunnar Larson-yes; Wendy Pietz-yes; Jason Smith-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:19 p.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Franklin LaDien moved, seconded by Yvonne Bellay , to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 12:56 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Wendy Pietz moved, seconded by Yvonne Bellay, to affirm all motions made in closed session. Motion carried unanimously.

**DELIBERATION ON ISSUANCE OF ORDER SUSPENDING ACCESS TO THE PRESCRIPTION DRUG MONITORING PROGRAM**

**MOTION:** Yvonne Bellay moved, seconded by Wendy Pietz, to request DSPS staff draft a policy regarding the suspension of access for users of the PDMP for the Board's review at the next meeting. Motion carried unanimously.

**16 CSB 002**

**MOTION:** Franklin LaDien moved, seconded by Yvonne Bellay, to issue an Order to maintain the suspension of access of C.R., R.Ph., to the Prescription Drug Monitoring Program, pursuant to Wis. Stat. § 961.385(2)(c), and Wis. Admin. Code CSB 4.09(3)(a), and to refer this matter to the Pharmacy Examining Board for review, pursuant to Wis. Stat. § 961.385(2)(c), and Wis. Admin. Code CSB 4.13(2). Motion carried unanimously.

**MOTION:** Wendy Pietz moved, seconded by Franklin LaDien, to authorize the PDMP Liaison to lift the suspension of access to the Prescription Drug Monitoring Program in the matter of C.R., R.Ph. in accordance with the terms of the Order. Motion carried unanimously.

**16 CSB 003**

**MOTION:** Jason Smith moved, seconded by Wendy Pietz, to issue an Order to maintain the suspension of access of J.B., R.Ph., to the Prescription Drug Monitoring Program, pursuant to Wis. Stat. § 961.385(2)(c), and Wis. Admin. Code CSB 4.09(3)(a), and to refer this matter to the Pharmacy Examining Board for review, pursuant to Wis. Stat. § 961.385(2)(c), and Wis. Admin. Code CSB 4.13(2). Motion carried unanimously.

**MOTION:** Yvonne Bellay moved, seconded by Jason Smith, to authorize the PDMP Liaison to lift the suspension of access to the Prescription Drug Monitoring Program in the matter of J.B., R.Ph. in accordance with the Order. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Yvonne Bellay moved, seconded by Jason Smith, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:58 p.m.