STATEMENT OF SCOPE

Medical Examining Board

Rule No.: Med 13

Relating to: Continuing Medical Education for Prescribing Opioids

Rule Type: Emergency and Permanent

1. Finding/nature of emergency (Emergency Rule only):

This rule will establish continuing education requirements for physicians relating to the prescription of opioids. These requirements will be another component to the current statewide initiatives addressing prescription drug abuse, and are in the best interest of public health and safety.

As normal rule-making procedures will not allow these requirements to be established until 2017, an expeditious promulgation of this rule is needed to ensure public health and safety.

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to promote best practices in the prescription of opioids. The proposed rule would define the requirements for the completion of continuing education hours relating to prescribing opioids as a portion of the biennial training requirements for physicians.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Section 448.13 of the Wisconsin Statutes requires the completion of at least 30 hours of continuing medical education for biennial registration. Wisconsin Administrative Code Chapter Med 13 more precisely defines the requirements for continuing medical education. The chapter lists acceptable sources of continuing education, sets the standards for evidence of compliance with the requirements, and allows the Board to waive and audit the completion of continuing education requirements. The proposed rule would define the requirements for the completion of continuing education hours specific to prescribing opioids. The alternative to this rule change is to leave Chapter Med 13 as written which does not address the growing concern with prescription drug abuse.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides examining boards, "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . ."

Section 227.11 (2) (a), Stats., sets forth the parameters of an agency's rule-making authority, stating an agency, "may promulgate rules interpreting provisions of any statute enforced or administered by the agency. . .but a rule is not valid if the rule exceeds the bounds of correct interpretation."

Section 448.40 (1), Stats., provides that the Medical Examining Board "may promulgate rules to carry out the purposes of this subchapter, including rules requiring the completion of continuing education, professional development, and maintenance of certification or performance improvement or continuing medical education programs for renewal of a license to practice medicine and surgery."

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

40 hours

6. List with description of all entities that may be affected by the proposed rule:

Wisconsin licensed physicians

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

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Approved for publication:

Authorized Signature

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Date Submitted

Approved for implementation:

Authorized Signature

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