

**State of Wisconsin  
Department of Safety & Professional Services**

Potential Scheduling Order  
for Serdexmethylphenidate  
as a Schedule IV  
Controlled Substance

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: <b>Kevyn Radcliffe, Administrative Rules Coordinator</b>		2) Date when request submitted: <b>May 13, 2021</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: <b>Controlled Substances Board</b>			
4) Meeting Date: <b>May 14, 2021</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Administrative Rule Matters – Discussion and Consideration</b> <b>1. Potential Scheduling Order for Serdexmethylphenidate as a Schedule IV Controlled Substance</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed			
11) <b>Authorization</b>			
<i>Kevyn Radcliffe</i>		May 13, 2021	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD

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IN THE MATTER OF RULE-MAKING	:	AFFIRMATIVE ACTION
PROCEEDINGS BEFORE THE	:	ORDER OF THE
CONTROLLED SUBSTANCES BOARD	:	CONTROLLED SUBSTANCES BOARD

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FINDINGS

1. On May 7, 2021, the Department of Justice, Drug Enforcement Administration published its temporary scheduling order in the Federal Register listing Serdexmethylphenidate into schedule IV of the federal Controlled Substances Act. The scheduling action is effective May 7, 2021.
2. The Controlled Substances Board did not receive an objection to similarly listing Serdexmethylphenidate as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the interim final order listing Serdexmethylphenidate as a schedule IV controlled substance.
3. The Controlled Substances Board will promulgate a final rule, without making the determinations or findings required by ss. 961.11(1), (1m), (1r) and (2) or s. 961.15 and omitting the notice of proposed rule making, listing Serdexmethylphenidate as a schedule IV controlled substance.

ORDER

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats Serdexmethylphenidate under chapter 961, Stats. by creating the following:

**CSB 2.81 Addition of Serdexmethylphenidate to schedule IV.** Section 961.20 (2m) (em), Stats., is created to read:

961.20 (2m) (em) Serdexmethylphenidate.

This order shall take effect upon publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated \_\_\_\_\_

\_\_\_\_\_  
Doug Englebert, Chair  
Controlled Substances Board