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Tony Evers, Governor
Dawn B. Crim, Secretary

CONTROLLED SUBSTANCES BOARD
VIRTUAL/TELECONFERENCE
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
September 10, 2021

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.

AGENDA

9:30 A.M.
OR IMMEDIATELY FOLLOWING THE REFERRAL CRITERIA WORK GROUP MEETING

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes July 9, 2021 (4-7)

C. Reminders: Conflicts of Interests, Scheduling Concerns

D. Introductions, Announcements and Recognition

E. Administrative Matters – Discussion and Consideration
1) Department, Staff, and Board Updates
2) Board Members – Term Expiration Dates
   a. Barman, Subhadeep – 5/1/2019
   b. Bellay, Yvonne
   c. Bloom, Alan – 5/1/2020
   d. Englebert, Doug
   e. Ferguson, Kris
   f. Kallio, Peter
   g. Kaske, Herbert
   h. Koresch, Sandy
   i. Weitekamp, John

F. Administrative Rule Matters – Discussion and Consideration (8)
1) Preliminary Rule Draft:
   a. CSB 2.80, Relating to Scheduling Oliceridine **(9-11)**
2) Scope Statement:
   a. CSB 2.82, Relating to Scheduling Serdexmethylphenidate **(12-13)**
   b. CSB 2.83, Relating to Scheduling Ten (10) Fentanyl Related Substances **(14-16)**

c. CSB 2.84, Relating to Scheduling Alfaxalone **(17-18)**
d. CSB 2.85, Relating to Excluding 6-beta-Nalterxol **(19-20)**
e. CSB 2.86, Relating to Scheduling Fospropofol **(21-22)**
f. CSB 2.87, Relating to Scheduling Embutramide **(23-24)**
g. CSB 2.88, Relating to Scheduling Lacosamide **(25-26)**
h. CSB 2.89, Relating to Scheduling Perampanel **(27-28)**
i. CSB 2.90, Relating to Transferring 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, Immediate Precursors to Phencyclidine, Also Known as PCP **(29-30)**

3) Affirmative Action Order:
   a. CSB 2.91, Relating to Scheduling 4'4-Dimethylaminorex **(31)**
4) Pending and Possible Rulemaking Projects **(32)**

G. Planning for the 2021 Annual Law Enforcement Hearing – Discussion and Consideration

H. Prescription Drug Monitoring Program (PDMP) Update – Discussion and Consideration (34)

1) WI ePDMP Operations
   a. Recent and Upcoming Releases **(35-37)**
   b. Status of Grant Projects:
      1. FY 2020 Harold Rogers PDMP
      2. Department of Justice Overdose Fatality Review & Medical College of Wisconsin DataShare Project
      3. Department of Health Services Overdose Data Exchange
   c. Interstate Data Sharing **(38)**
   d. EHR Integration Status **(39-40)**
2) Gabapentin Reporting
3) Excluding Buprenorphine/Naloxone from Metrics Calculation
4) WI ePDMP Outreach **(41)**

I. COVID-19 – Discussion and Consideration

J. Board Member Reports – Discussion and Consideration

1) Medical Examining Board
2) Dentistry Examining Board
3) Board of Nursing
4) Pharmacy Examining Board

K. Liaison Reports

L. Report from the Referral Criteria Work Group – Discussion and Consideration

M. Deliberation on Special Use Authorizations – Discussion and Consideration

N. Discussion and Consideration of Items Received After Preparation of the Agenda

1) Introductions, Announcements, and Recognition
2) Administrative Matters
3) Election of Officers
4) Appointment of Liaisons and Alternates

5) Delegation of Authorities
6) Informational Items
7) Division of Legal Services and Compliance (DLSC) Matters
8) Education and Examination Matters
9) Credentialing Matters
10) Practice Matters
11) Legislative and Administrative Rule Matters
12) Liaison Reports
13) Appearances from Requests Received or Renewed
14) Speaking Engagements, Travel, or Public Relations Requests, and Reports
15) Consulting with Legal Counsel

O. Public Comments

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 individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

P. Deliberation on Special Use Authorizations – Discussion and Consideration

Q. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

R. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

S. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: NOVEMBER 12, 2021

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. To confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
JULY 9, 2021

PRESENT: Yvonne Bellay, Subhadeep Barman, Alan Bloom, Doug Englebert, Herbert Kaske, Sandy Koresch, John Weitekamp

EXCUSED: Peter Kallio

STAFF: Adam Barr, Executive Director; Jameson Whitney, Legal Counsel; Jon Derenne, Legal Counsel; Megan Glaeser, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Doug Englebert, Chairperson, called the meeting to order at 9:30 a.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Alan Bloom moved, seconded by John Weitekamp, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Sandy Koresch moved, seconded by Yvonne Bellay, to adopt the Minutes of May 14, 2021 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

MOTION: Sandy Koresch moved, seconded by John Weitekamp, to recognize and thank Padmaja Doniparthi and David Bryce for their service to the Controlled Substances Board and the State of Wisconsin. Motion carried unanimously.

GUIDANCE DOCUMENT REGARDING THE DESIGNATION OF GABAPENTIN AS A MONITORED PRESCRIPTION DRUG

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to approve the guidance document regarding the designation of Gabapentin as a monitored prescription drug. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Adoption Orders

CR 20-058 (CSB 2.71) – Scheduling Lasmiditan

MOTION: Subhadeep Barman moved, seconded by Sandy Koresch, to approve the Adoption Order for Clearinghouse Rule 20-058, relating to scheduling Lasmiditan. Motion carried unanimously.

CR 20-075 (CSB 2.73) – Scheduling Cenobamate

MOTION: Alan Bloom moved, seconded by Sandy Koresch, to approve the Adoption Order for Clearinghouse Rule 20-075, relating to scheduling Cenobamate. Motion carried unanimously.

CR 20-076 (CSB 2.74) – Scheduling Lemborexant

MOTION: Subhadeep Barman moved, seconded by Alan Bloom, to approve the Adoption Order for Clearinghouse Rule 20-076, relating to scheduling Lemborexant. Motion carried unanimously.

CR 20-077 (CSB 2.75) – Scheduling Epidiolex

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to approve the Adoption Order for Clearinghouse Rule 20-077, relating to scheduling Epidiolex. Motion carried unanimously.

CR 20-078 (CSB 2.76) – Scheduling Norfentanyl

MOTION: John Weitekamp moved, seconded by Subhadeep Barman, to approve the Adoption Order for Clearinghouse Rule 20-078, relating to scheduling Norfentanyl. Motion carried unanimously.

CR 20-023 (CSB 2.77) – Scheduling Flualprazolam

MOTION: Subhadeep Barman moved, seconded by Alan Bloom, to approve the Adoption Order for Clearinghouse Rule 20-023, relating to scheduling Flualprazolam. Motion carried unanimously.

CR 20-080 (CSB 4.03(2) & 4.08(4)) – Designating Gabapentin as a Monitored Drug

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to approve the Adoption Order for Clearinghouse Rule 20-080, relating to designating Gabapentin as a monitored drug. Motion carried unanimously.

Affirmative Action Orders

CSB 2.83 - Scheduling 10 Fentanyl Related Substances

MOTION: Subhadeep Barman moved, seconded by John Weitekamp, to schedule by affirmative action 10 Fentanyl Related Substances as Schedule I controlled substances. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.84 - Scheduling Alfaxalone

MOTION: Alan Bloom moved, seconded by Sandy Koresch, to schedule by affirmative action Alfaxalone as a Schedule IV controlled substance. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.85 - Excluding 6-beta-Naltrexol from Schedule II

MOTION: John Weitekamp moved, seconded by Sandy Koresch, to remove and exclude 6-beta-Naltrexol as a Schedule II controlled substance by affirmative action. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.86 - Scheduling Fospropofol

MOTION: Sandy Koresch moved, seconded by Subhadeep Barman, to schedule by affirmative action Fospropofol as a Schedule IV controlled substance. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.87 - Scheduling Embutramide

MOTION: Subhadeep Barman moved, seconded by Alan Bloom, to schedule by affirmative action Embutramide as a Schedule III controlled substance. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.88 – Scheduling Lacosamide

MOTION: John Weitekamp moved, seconded by Subhadeep Barman, to schedule by affirmative action Lacosamide as a Schedule V controlled substance. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.89 – Scheduling Perampanel

MOTION: Subhadeep Barman moved, seconded by Sandy Koresch, to schedule by affirmative action Perampanel as a Schedule III controlled substance. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

CSB 2.90 Scheduling 1-1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile

MOTION: Subhadeep Barman moved, seconded by Sandy Koresch, to schedule by affirmative action 1-1-phenylcyclohexamine and 1-piperidinocyclohexanecarbonitrile as Schedule II controlled substances. The order shall take effect on the date it is published in the Administrative Register. Motion carried unanimously.

<u>Scope Statement – CSB 2.80 – Scheduling Oliceridine</u>

MOTION: Sandy Koresch moved, seconded by John Weitekamp, to approve the Scope Statement revising CSB 2.80, relating to scheduling Oliceridine, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

ADJOURNMENT

MOTION: Alan Bloom moved, seconded by Subhadeep Barman, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:37 a.m.

State of Wisconsin
Department of Safety & Professional Services
AGENDA REQUEST FORM

1) Name and title of person submitting the request:	2) Date when request submitted:
Nilajah Hardin, Administrative Rules Coordinator	**08/30/21** **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**

3) Name of Board, Committee, Council, Sections:

Controlled Substances Board

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
09/10/21	☒ Yes ☐ No	**Administrative Rule Matters – Discussion and Consideration** **1. Preliminary Rule Draft:** **a. CSB 2.80, Relating to Scheduling Oliceridine** **2. Scope Statement:** **a. CSB 2.82, Relating to Scheduling Serdexmethylphenidate** **b. CSB 2.83, Relating to Scheduling Ten (10) Fentanyl Related Substances** **c. CSB 2.84, Relating to Scheduling Alfaxalone** **d. CSB 2.85, Relating to Excluding 6-beta-Nalterxol** **e. CSB 2.86, Relating to Scheduling Fospropofol** **f. CSB 2.87, Relating to Scheduling Embutramide** **g. CSB 2.88, Relating to Scheduling Lacosamide** **h. CSB 2.89, Relating to Scheduling Perampanel** **i. CSB 2.90, Relating to Transferring 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, Immediate Precursors to Phencyclidine, Also Known as PCP** **3. Affirmative Action Order:** **a. CSB 2.91, Relating to Scheduling 4'4-Dimethylaminorex** **4. Pending or Possible Rulemaking Projects**

7) Place Item in:	8) Is an appearance before the Board being scheduled? *(If yes, please complete **Appearance Request** for Non-DSPS Staff)*	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session	☐ Yes ☒ No	**N/A**

10) Describe the issue and action that should be addressed:

Attachments:

1.Preliminary Rule Draft – CSB 2.80

2. Scope Statements – CSB 2.82-2.90

3. Affirmative Action Order – CSB 2.91

4. Pending/Possible Rulemaking Projects: Rule Projects Chart

Copies of all current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx

11) Authorization

Nilajah D. Hardin 08/30/21

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

IN THE MATTER OF RULE-MAKING PROCEEDINGS BEFORE THE CONTROLLED SUBSTANCES BOARD	:	PROPOSED ORDER OF THE CONTROLLED SUBSTANCES BOARD ADOPTING RULES (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Controlled Substances Board to create CSB 2.80 relating to scheduling oliceridine.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 961.16, Stats.

Statutory authority: s. 961.11 (1) and (4), Stats.

Explanation of agency authority:

Section 961.11 (1), Stats. provides that "[t]he controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227."

Section 961.11(4), Stats. provides that "[i]f a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2)."

Related statute or rule: s. 961.16, Stats.

Summary of, and comparison with, existing or proposed federal regulation:

On October 30, 2020, the Department of Justice, Drug Enforcement Administration published its interim final rule in the Federal Register listing oliceridine into schedule II of the federal Controlled Substances Act. The scheduling action was effective October 30, 2020.

Plain language analysis:

This rule schedules oliceridine as a Schedule II controlled substance.

The Controlled Substances Board did not receive an objection to similarly treat oliceridine as a Schedule II controlled substance under ch. 961, Stats. within 30 days of the date of publication in the Federal Register of the final order designating oliceridine as a controlled substance.

Pursuant to s. 961.11 (4), Stats., the Controlled Substances Board took affirmative action to similarly treat oliceridine under ch. 961, Stats. by creating the following:

961.16 (3) (ta) Oliceridine.

The Affirmative Action order, dated December 7, 2020, took effect on December 14, 2020 to allow for publication in the Administrative Register and expires upon promulgation of a final rule.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A

Comparison with rules in adjacent states:

Illinois: Illinois has not scheduled oliceridine as a controlled substance.

Iowa: Iowa has not scheduled oliceridine as a controlled substance.

Michigan: Michigan has not scheduled oliceridine as a controlled substance.

Minnesota: Minnesota has not scheduled oliceridine as a controlled substance.

Summary of factual data and analytical methodologies:

The methodology was to schedule oliceridine to conform with the federal Controlled Substances Act.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The rule schedules oliceridine as a Schedule II controlled substance which will not have any effect on small business.

Fiscal Estimate:

The fiscal estimate and economic impact analysis are attached

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received by (date) to be included in the record of rulemaking proceedings.

TEXT OF RULE

SECTION 1. CSB 2.80 is created to read:

CSB 2.80 Scheduling of oliceridine. Section 961.16 (3) (ta), Stats., is created to read:

961.16 (3) (ta) Oliceridine.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.82

Relating to: Scheduling Serdexmethylphenidate

Rule Type: Permanent

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

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

The objective of the rule is to schedule Serdexmethylphenidate as a schedule IV controlled substance. The Controlled Substances Board determines the scheduling of Serdexmethylphenidate as a schedule IV controlled substance is in the best interest of the citizens of Wisconsin.

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:

On May 7, 2021, the Department of Justice, Drug Enforcement Administration published its interim final rule in the Federal Register listing Serdexmethylphenidate into schedule IV of the federal Controlled Substances Act. The scheduling action is effective May 7, 2021. 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.

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

961.20 (2m) (em) Serdexmethylphenidate.

The Affirmative Action order, dated June 28, 2021, took effect on July 12, 2021 when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC

811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On May 7, 2021, the Department of Justice, Drug Enforcement Administration published its interim final rule in the Federal Register listing Serdexmethylphenidate into schedule IV of the Federal Controlled Substances Act. The scheduling action is effective May 7, 2021.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.83

Relating to: Scheduling ten (10) Fentanyl related substances

Rule Type: Permanent

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

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

The objective of the rule is to schedule ten (10) Fentanyl related substances as a schedule I controlled substance. The Controlled Substances Board determines the scheduling of ten (10) Fentanyl related substances as a schedule I controlled substance is in the best interest of the citizens of Wisconsin.

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:

On April 27, 2021, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing ten Fentanyl-related substances into schedule I of the federal Controlled Substances Act. The scheduling action is effective immediately. The Controlled Substances Board did not receive an objection to similarly treating the ten (10) Fentanyl-related substances listed in schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating the ten (10) Fentanyl-related substances listed above as controlled substances.

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats the following ten (10) Fentanyl-related substances under chapter 961, Stats. by creating the following:

- *N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (2'-fluoro *ortho*-fluorofentanyl; 2'-fluoro 2-fluorofentanyl);
- *N*-(1-(4-methylphenethyl)piperidin-4-yl)-*N*-phenylacetamide (4'-methyl acetyl fentanyl);
- *N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide (β'-phenyl fentanyl; *beta'*-Phenyl fentanyl; 3-phenylpropanoyl fentanyl);
- *N*-phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)propionamide (β-methyl fentanyl);
- *N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (*ortho*-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl);
- *N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (*ortho*-methyl acetylfentanyl; 2-methyl acetylfentanyl);
- 2-methoxy-*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (*ortho*-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl);
- *N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide (*para*-methylfentanyl; 4-methylfentanyl);
- *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide (phenyl fentanyl; benzoyl fentanyl); and
- *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (thiofuranyl fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl).

CSB 2.83 Addition of ten (10) Fentanyl-related substances to schedule I*. Section 961.14 (2) (nd) 21., 22., 23., 24., 25., 26., 27., 28., 29., and 30., Stats., is created to read:*

961.14 (2) (nd)

21. *N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)propionamide (2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl);*
22. *N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide (4'-methyl acetyl fentanyl);*
23. *N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide (β'-phenyl fentanyl; beta'-Phenyl fentanyl; 3-phenylpropanoyl fentanyl);*
24. *N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide (ß-methyl fentanyl);*
25. *N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl);*
26. *N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (ortho-methyl acetylfentanyl; 2-methyl acetylfentanyl);*
27. *2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (ortho-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl);*
28. *N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (para-methylfentanyl; 4-methylfentanyl);*
29. *N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide (phenyl fentanyl; benzoyl fentanyl); and*
30. *N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide (thiofuranyl fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl).*

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On April 27, 2021, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing ten Fentanyl-related substances into schedule I of the federal Controlled Substances Act. The scheduling action is effective immediately. The Controlled Substances Board did not receive an objection to similarly treating the ten (10) Fentanyl-related substances listed in schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating the ten (10) Fentanyl-related substances listed above as controlled substances.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.84

Relating to: Scheduling Alfaxalone

Rule Type: Permanent

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

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

The objective of the rule is to schedule Alfaxalone as a schedule IV controlled substance. The Controlled Substances Board determines the scheduling of Alfaxalone as a schedule IV controlled substance is in the best interest of the citizens of Wisconsin.

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:

On February 27, 2014, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Alfaxalone into schedule IV of the federal Controlled Substances Act. The scheduling action is effective March 31, 2014. The Controlled Substances Board did not receive an objection to similarly listing Alfaxalone as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Alfaxalone as a schedule IV controlled substance.

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

CSB 2.84 Addition of Alfaxalone to schedule IV*. Section 961.20 (2) (a), Stat., is repealed and recreated to read:*

961.20 (2) (a) Alfaxalone.

Section 961.20 (2) (ak) is created to read:

961.20 (2) (ak) Alprazolam

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On February 27, 2014, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Alfaxalone into schedule IV of the federal Controlled Substances Act. The scheduling action is effective March 31, 2014. The Controlled Substances Board did not receive an objection to similarly listing Alfaxalone as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Alfaxalone as a schedule IV controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.85

Relating to: Excluding 6-beta-Naltrexol

Rule Type: Permanent

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

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

The objective of the rule is to exclude 6-beta-Naltrexol as a schedule II controlled substance. The Controlled Substances Board determines the exclusion of 6-beta-Naltrexol as a schedule II controlled substance is in the best interest of the citizens of Wisconsin.

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:

On January 24, 2020, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register removing 6-beta-Naltrexol from schedule II of the federal Controlled Substances Act. The scheduling action is effective January 24, 2020. The Controlled Substances Board did not receive an objection to similarly removing 6-beta-Naltrexol as a schedule II controlled substance under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order removing 6-beta-Naltrexol as a schedule II controlled substance.

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats 6-beta-Naltrexol under chapter 961, Stats. by creating the following:

CSB 2.85 Excluding 6-beta-Naltrexol from schedule II*. Section 961.16 (2) (a), Stats., is amended to read:*

961.16 (2) (a) *Opium and substances derived from opium, and any salt, compound, derivative or preparation of opium or substances derived from opium. Apomorphine, dextrorphan, nalbuphine, butorphanol, naldemedine, nalmefene, naloxegol, naloxone, 6-beta-naltrexol, and naltrexone and their respective salts and the isoquinoline alkaloids of opium and their respective salts are excluded from this paragraph. The following substances, and any of their salts, isomers and salts of isomers that are theoretically possible within the specific chemical designation, are included in this paragraph:*

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On January 24, 2020, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register removing 6-beta-Naltrexol from schedule II of the federal Controlled Substances Act. The scheduling action is effective January 24, 2020. The Controlled Substances Board did not receive an objection to similarly removing 6-beta-Naltrexol as a schedule II controlled substance under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order removing 6-beta-Naltrexol as a schedule II controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.86

Relating to: Scheduling Fospropofol

Rule Type: Permanent

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

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

The objective of the rule is to schedule Fospropofol as a schedule IV controlled substance. The Controlled Substances Board determines the scheduling of Fospropofol as a schedule IV controlled substance is in the best interest of the citizens of Wisconsin.

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:

On October 6, 2009, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Fospropofol into schedule IV of the federal Controlled Substances Act. The scheduling action is effective November 5, 2009. The Controlled Substances Board did not receive an objection to similarly listing Fospropofol as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Fospropofol as a schedule IV controlled substance.

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

CSB 2.86 Addition of Fospropofol to schedule IV*. Section 961.20 (2) (en), Stats., is created to read:*

961.20 (2) (en) Fospropofol.

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily

scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On October 6, 2009, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Fospropofol into schedule IV of the federal Controlled Substances Act. The scheduling action is effective November 5, 2009. The Controlled Substances Board did not receive an objection to similarly listing Fospropofol as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Fospropofol as a schedule IV controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.87

Relating to: Scheduling Embutramide

Rule Type: Permanent

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

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

The objective of the rule is to schedule Embutramide as a schedule III controlled substance. The Controlled Substances Board determines the scheduling of Embutramide as a schedule III controlled substance is in the best interest of the citizens of Wisconsin.

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:

On August 29, 2006, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Embutramide into schedule III of the federal Controlled Substances Act. The scheduling action is effective September 28, 2006. The Controlled Substances Board did not receive an objection to similarly listing Embutramide as a schedule III under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Embutramide as a schedule III controlled substance.

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

CSB 2.87 Addition of Embutramide to schedule III*. Section 961.18 (3) (bm), Stats., is created to read:*

961.18 (3) (bm) Embutramide.

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or

findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On August 29, 2006, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Embutramide into schedule III of the federal Controlled Substances Act. The scheduling action is effective September 28, 2006. The Controlled Substances Board did not receive an objection to similarly listing Embutramide as a schedule III under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Embutramide as a schedule III controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.88

Relating to: Scheduling Lacosamide

Rule Type: Permanent

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

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

The objective of the rule is to schedule Lacosamide as a schedule V controlled substance. The Controlled Substances Board determines the scheduling of Lacosamide as a schedule V controlled substance is in the best interest of the citizens of Wisconsin.

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:

On May 21, 2009, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Lacosamide into schedule V of the federal Controlled Substances Act. The scheduling action is effective June 22, 2009. The Controlled Substances Board did not receive an objection to similarly listing Lacosamide as a schedule V under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Lacosamide as a schedule V controlled substance.

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

CSB 2.88 Addition of Lacosamide to schedule V*. Section 961.22 (10), Stats., is created to read:*

961.22 (10) Lacosamide.

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final

rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On May 21, 2009, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Lacosamide into schedule V of the federal Controlled Substances Act. The scheduling action is effective June 22, 2009. The Controlled Substances Board did not receive an objection to similarly listing Lacosamide as a schedule V under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Lacosamide as a schedule V controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.89

Relating to: Scheduling Perampanel

Rule Type: Permanent

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

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

The objective of the rule is to schedule Perampanel as a Schedule III controlled substance. The Controlled Substances Board determines the scheduling of Perampanel as a Schedule III controlled substance is in the best interest of the citizens of Wisconsin.

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:

On December 2, 2013, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Perampanel into schedule III of the federal Controlled Substances Act. The scheduling action is effective January 2, 2014. The Controlled Substances Board did not receive an objection to similarly listing Perampanel as a schedule III under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Perampanel as a schedule III controlled substance.

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

CSB 2.89 Addition of Perampanel to schedule III*. Section 961.18 (3) (fm), Stats., is created to read:*

961.18 (3) (fm) Perampanel.

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final

rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

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

60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On December 2, 2013, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Perampanel into schedule III of the federal Controlled Substances Act. The scheduling action is effective January 2, 2014. The Controlled Substances Board did not receive an objection to similarly listing Perampanel as a schedule III under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Perampanel as a schedule III controlled substance.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CBS 2.90

Relating to: Transferring 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP.

Rule Type: Permanent

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

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

The objective of the rule is to transfer 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, from schedule I to schedule II controlled substance. The Controlled Substances Board determines the transferring of 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, from schedule I to schedule II controlled substance is in the best interest of the citizens of Wisconsin.

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:

On May 17, 1978, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, into schedule II of the federal Controlled Substances Act. The scheduling action was effective June 16, 1978. The Controlled Substances Board did not receive an objection to similarly listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, as schedule II controlled substances under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, as a schedule II controlled substances.

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, under chapter 961, Stats. by repealing s. 961.14 (6) and creating the following:

CSB 2.90 Transfer of 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, from Schedule I to schedule II*. Section 961.16 (8) (c), Stats. is created to read:*

961.16 (8) (c) *Immediate precursors to phencyclidine, also known as PCP:*
1. *1-phenylcyclohexylamine.*
2. *1-piperidinocyclohexanecarbonitrile.*

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

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

961.11 (1) The controlled substances board shall administer this subchapter and may add substances to or delete or reschedule all substances listed in the schedules in ss. 961.14, 961.16, 961.18, 961.20 and 961.22 pursuant to the rule-making procedures of ch. 227.

961.11(4) If a substance is designated, rescheduled or deleted as a controlled substance under federal law and notice thereof is given to the controlled substances board, the board by affirmative action shall similarly treat the substance under this chapter after the expiration of 30 days from the date of publication in the federal register of a final order designating the substance as a controlled substance or rescheduling or deleting the substance or from the date of issuance of an order of temporary scheduling under 21 USC 811 (h), unless within that 30−day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the board shall promulgate, without making the determinations or findings required by subs. (1), (1m), (1r) and (2) or s. 961.13, 961.15, 961.17, 961.19 or 961.21, a final rule, for which notice of proposed rulemaking is omitted, designating, rescheduling, temporarily scheduling or deleting the substance. If an objection is made the board shall publish notice of receipt of the objection and the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall make a determination with respect to the treatment of the substance as provided in subs. (1), (1m), (1r) and (2) and shall publish its decision, which shall be final unless altered by statute. Upon publication of an objection to the treatment by the board, action by the board under this chapter is stayed until the board promulgates a rule under sub. (2).

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule: 60 hours

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

Law enforcement, district attorney offices, Dept of Justice, state courts, prescribers, pharmacists, pharmacies, and the Controlled Substances Board.

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:

On May 17, 1978, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, into schedule II of the federal Controlled Substances Act. The scheduling action was effective June 16, 1978. The Controlled Substances Board did not receive an objection to similarly listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, as schedule II controlled substances under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP, as a schedule II controlled substances.

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.

Contact Person: Nilajah Hardin, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:

Authorized Signature

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

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

FINDINGS

1. On August 12, 2021, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing 4,4'-Dimethylaminorex into schedule I of the federal Controlled Substances Act. The scheduling action is effective September 13, 2021.

2. The Controlled Substances Board did not receive an objection to similarly treating 4,4'-Dimethylaminorex as a schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating 4,4'-Dimethylaminorex as a 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. 961.19 and omitting the notice of proposed rule making, designating 4,4'-Dimethylaminorex as a schedule I controlled substance.

ORDER

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

CSB 2.91 Addition of 4,4'-Dimethylaminorex to schedule I. Section 961.14 (7) (cm), Stats., is created to read:

961.14 (7) (cm) *4,4'-Dimethylaminorex.*

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

Dated _____

_____
Doug Englebert, Chair
Controlled Substances Board

Controlled Substances Board
Rule Projects (updated 08/26/21)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
20-058	076-20	12/15/2022	CSB 2.71	Scheduling Lasmiditan	Rule Effective on 08/01/21	N/A
20-075	123-20	02/24/2023	CSB 2.73	Scheduling Cenobamate	Rule Effective on 08/01/21	N/A
20-076	122-20	02/24/2023	CSB 2.74	Scheduling Lemborexant	Rule Effective on 08/01/21	N/A
20-077	121-20	02/24/2023	CSB 2.75	Removing FDA Approved Cannabidiol from Schedule V and Excluding FDA Approved Cannabidiol from Schedule I	Rule Effective on 08/01/21	N/A
20-078	120-20	02/24/2023	CSB 2.76	Scheduling Norfentanyl	Rule Effective on 08/01/21	N/A
20-079	126-20	03/28/2023	CSB 2.77	Scheduling Flualprazolam	Rule Effective on 08/01/21	N/A
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.78	Scheduling Crotonyl Fentanyl	Scope Submitted for Publication on 08/24/21	Scope Approval for Implementation 10 Calendar Days After Publication in Administrative Register
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.79	Scheduling Remimazolam	Scope Submitted for Publication on 08/24/21	Scope Approval for Implementation 10 Calendar Days After Publication in Administrative Register
Not Assigned Yet	061-21	12/28/2021	CSB 2.80	Scheduling Oliceridine	Preliminary Rule Draft Submitted for Approval at 09/10/21 Board Meeting	Post for EIA Comments and Submission to Clearinghouse
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.81	Scheduling Brorphine	Scope Submitted for Publication on 08/24/21	Scope Approval for Implementation 10 Calendar Days After Publication in Administrative Register
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.82	Scheduling Serdexmethylphenidate	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval

Controlled Substances Board
Rule Projects (updated 08/26/21)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.83	Scheduling 10 Fentanyl Related Substances	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.84	Scheduling Alfaxalone	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.85	Excluding 6-beta-Naltrexol	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.86	Scheduling Fospropofol	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.87	Scheduling Embutramide	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.88	Scheduling Lacosamide	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.89	Scheduling Perampanel	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.90	Transferring 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, Immediate Precursors to Phencyclidine, Also Known as PCP	Scope Submitted for Approval at 09/10/21 Board Meeting	Scope Submission to Governor's Office for Review and Approval
Not Assigned Yet	Not Assigned Yet	Not Determined Yet	CSB 2.91	Scheduling 4,4'-Dimethylaminorex	Affirmative Action Order Submitted for Approval at 09/10/21 Meeting	Affirmative Action Order Submission for Publication in Administrative Register
20-080	111-19	05/04/2022	CSB 4	Designating Gabapentin as a Monitored Drug	Rule Effective on 09/01/21	N/A

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Marjorie Liu Program Lead, PDMP			**2) Date when request submitted:** 08/27/2021 **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**
3) Name of Board, Committee, Council, Sections: Controlled Substances Board			
4) Meeting Date: 09/10/2021	**5) Attachments:** ☒ Yes ☐ No	**6) How should the item be titled on the agenda page?** Prescription Drug Monitoring Program (PDMP) Updates – Discussion and Consideration	
7) Place Item in: ☒ Open Session ☐ Closed Session	**8) Is an appearance before the Board being scheduled?** *(If yes, please complete Appearance Request for Non-DSPS Staff)* ☐ Yes ☒ No	**9) Name of Case Advisor(s), if required:**	

10) Describe the issue and action that should be addressed:

1. WI ePDMP Operations
    a. Recent and Upcoming Releases
    b. Status of Grant Projects:
        i. FY 2020 Harold Rogers Prescription Drug Monitoring Program
        ii. DOJ Overdose Fatality Review & Medical College of Wisconsin DataShare Project
        iii. DHS Overdose Data Exchange
    c. Interstate Data Sharing
    d. EHR Integration Status
2. Gabapentin Reporting
3. Excluding Buprenorphine/Naloxone from Metrics Calculation
4. WI ePDMP Outreach

11) Authorization

Marjorie Liu — 08/27/2021

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.

2019-2021 Development and Release Summary

Updated 8.26.2021

Release Date	Description
Pending	
HRG 2020 Component 1 **Release date TBD**	Security Enhancements • Multi-Factor Authentication • Compromised Email Address Check Patient Report and other User Experience Updates
R24 **August 2021**	Gabapentin • Gabapentin related Submitter Error Email text updates & EHR Banner Security-Related Enhancements
Completed	
R23 **July 2021**	Text Updates • Gabapentin related text changes to the Submitter Error Email.
R22 **July 2021**	Pharmacy-Related Enhancements • Missing DEA Number Error Process Updates Administrative-Related Fixes
R21 **May 2021**	New Design Enhancements • Proactive MC/HCP linkage renewals • Search enhancements Administrative-Related Enhancements Additional administrator tools
R20 **March 2021**	WI DOJ-Medical College of Wisconsin DataShare Project • Automatically send data extracts to DOJ-MCW • Automatically receive data extracts from DOJ-MCW Administrative-Related Enhancements • Additional improvements to query process • Additional administrator tools
R19 **September 2020**	New Design Enhancements • Enhanced MME calculation process • Ability to set map display defaults Administrative-Related Enhancements • Improvements to query approval process Search Engine Optimization Updates to non-user facing parts of the PDMP to optimize search engine results

R18 **July 2020**	New Design Enhancements • Updated layout and design of Patient Report including alerts and dispensing details, based on user feedback • Opioid naïve alert Additional EHR Enhancements • Multi-state default settings Prescriber Metrics Notifications Proactive notice to prescribers to review metrics, based on time and/or prescribing thresholds
R17.1 **April 2020**	Pharmacy-Related Enhancements • Display of Date Sold, if provided in the submission • ASAP file processing improvements
R17 **March 2020**	Pharmacy-Related Enhancements • Improvements to workflow for error corrections/void • Display of Date Sold, if provided in the submission New Design Enhancements • Better access to history of recent Patient Reports for Delegates • Additional data element on overdose alerts entered by law enforcement to capture administration of Naloxone • MME calculator Additional EHR Enhancements • Expanded patient search from within EHR • Expanded navigation from within EHR
R16 **Dec 2019**	Patients Panel Improvements • Additional data fields EHR Enhancements • Additional state query from within the EHR, as contractually allowable (initially RxCheck states only) • Delegate Management ability from within EHR • Ability of Delegates to identify as licensed/unlicensed
Minor Interim Release **Oct 2019**	Patient matching updates • Specific improvement for linking patients based on nicknames
R15.1 **Sept 2019**	Performance-Related Enhancements • Performance improvements for Medical Coordinator role
R15 **Aug 2019**	User Management Enhancements • Annual acceptance of Term and Conditions of the WI ePDMP • Renewal process for Medical Coordinator access to metrics • Periodic review of linked delegates

R14 **April 2019**	RxCheck • Technical tasks to establish connection to RxCheck interstate data sharing hub
R12 and R13 **March 2019**	Data Quality Software Stability Work • Technical tasks to simplify workflows and improve identification/resolution of workflow issues
R11 **February 2019**	DHS Extract • Addition of patient geocode latitude and longitude Quality Assurance and Support Items

RxCheck/EHR	PMPi
In Progress	
MO	
Connected	
IL, MD, NE, PA, UT, WA,	AZ, CO, DE, FL, HI, IA, ID, IN, KS, ME, MI, MN, MT, NC, ND, NM, NV, NY, PR, SC, SD, TN, WV, Military Health System

WI ePDMP Integration Services Summary

Current as of 8.26.2021

Pending Health Systems and EHR Platforms
Advanced Pain Management (In Development)
Advent Health (In Development)
Advent Health - Cerner
Athena (In Discussion)
DrFirst (In Development)
Essentia (In Discussion/Contracting)
Marshfield EHR System Change (In Discussion/Contracting)
Prairie Clinic (In Discussion)
Wisconsin Statewide Health Information Network (Converting to new EHR Platform)
M Health Fairview (In Discussion/Contracting)
Bluestone Physician Services (In Discussion/Contracting)
Connected Health Systems (approx. 50% of monthly patient queries)
Ascension Wisconsin
Aspirus Health Care
Aurora Health Care
Children's Hospital of Wisconsin
Froedtert & the Medical College of Wisconsin
GHC of South Central Wisconsin
Gundersen Health System
HealthPartners
HSHS / Prevea Health
Marshfield Clinic
Mayo Clinic
Mercy Health
Monroe Clinic
NOVO Health Technology Group
ProHealth Care
SSM Health
Thedacare
UnityPoint

UW Health
Wisconsin Statewide Health Information Network

2021 WI PDMP Outreach Calendar

MONTH	EVENT	DESCRIPTION	DATES	NOTES
January				
February				
March				
April	Rx Drug Abuse & Heroin Summit	Panelist, PDMP & Patient Privacy	4/6/2021	Virtual Conference
	Overdose Fatality Review (OFR) State Advisory Group	DSPS Representative	4/29/2021	Quarterly Meeting. Inter-agency advisory group for OFR local sites.
May	Law Enforcement Outreach	Self-Paced PDMP Training -- Lake Delton & Fox Point Police Department		Voice-over & Animated Power Point Slides
June	PDMP Roundtable	Advocate Aurora (Kenosha)	6/9/2021	
July	North Region PDMP Webinar	Annual TTAC/BJA Regional Conference for 12 PDMPs located in the PDMP TTAC North region	7/1/2021	Virtual
	Law Enforcement PDMP participation promotion initiative	Collaborative Initiative between DSPS, DOJ & North Central HIDTA	7/8/2021	Monthly Meeting
August	Tribal Nation PDMP Participation	MOU with St. Croix under development		
September	Great Lake Inter-Tribal Council Board Meeting	Great Lake Inter-Tribal Council Board Meeting	9/13/2021	
October	PDMP Rountable	Family Health Center of Marshfield, Inc.	10/19/2021	
	PMP InterConnect Steering Committee Meeting	Meeting organized by National Association of Boards of Pharmacy (NABP)	10/6-10/7/2021	In-Person or Hybrid meeting in Northbrook, IL
November	2021 COSSAP National Forum	Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Annual Conference	TBA (Initially 9/28-9/30/2021)	Virtual conference. Required Participation for BJA Grantees
December				