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March 29, 2021

Senator Stephen Nass, Senate Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 10 South, State Capitol
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 204 North, State Capitol
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

I. Unauthorized rules, as defined in s. 227.26 (4) (a):

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

II. Rules for which the authority to promulgate has been restricted:

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

III. Rules that are obsolete or that have been rendered unnecessary:

Rules	Description	Action taken to address or reason for not taking an action
CSB 4.02 (8) (a)	The note attached to CSB 4.02 (8) (a) references Phar 7.095 which has been removed from the code.	Action will be taken to revise the note.

IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:

Rules	Citation or the text of the statute, regulation, or ruling	Action taken to address or reason for not taking an action
CSB 2	79 FR 10985; 21 CFR 1308	Action will be taken to add Alfaxalone (brand name Alprazolam) to Schedule IV
CSB 2	74 FR 51234; 21 CFR 1308	Action will be taken add Fospropofol (brand name Lusedra) to Schedule IV
CSB 2	71 FR 51115; 21 CFR 1308	Action will be taken add Embutramide (brand name Tributane) to Schedule III
CSB 2	74 FR 23789; 21 CFR 1308	Action will be taken add Lacosamide (brand name Vimpat) to Schedule V
CSB 2	78 FR 72013; 21 CFR 1308	Action will be taken add Perampanel (brand name Fycompa) to Schedule III
CSB 2		Action will be taken to review and update s. 961.18 (7), Stats. to align with federal scheduling treatment of anabolic steroids.
s. 961.16(2)(a)		Action will be taken to add 6B (beta) - naltrexol to the list of exempt substances
s. 961.14 (5)		Immediate precursors to PCP are listed in as schedule I substances under 961.14 (5). The federal scheduling list as schedule II substances. Action will be taken to add them to 961.16 (8) with other precursors .

V. Rules that are economically burdensome:

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

IV. Status of rules identified in the Board’s previous report:

No rules were identified in the Board’s 2019 report.

Thank you.

Cordially,

Doug Englebert
Chairperson