Wisconsin Department of Safety and Professional Services
Division of Policy Development
4822 Madison Yards Way, 2nd Floor
PO Box 8366
Madison WI 53708-8366

Phone: 608-266-2112
Web: http://dsps.wi.gov
Email: dsps@wisconsin.gov

Tony Evers, Governor
Dan Hereth, Secretary

VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
March 13, 2026

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 record of the actions of the Board.

AGENDA

10:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of January 23, 2026 (4-6)

C. Reminders: Conflicts of Interest, Scheduling Concerns

D. Introductions, Announcements and Recognition
1. Introduction and Welcome – DSPS Secretary Hereth

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 – DATCP Representative
   c. Eberhardy, Cullen – AG Representative
   d. Englebert, Doug – DHS Representative
   e. Gundersen, David – Dentistry Examining Board Representative
   f. Jarrett, Jennifer L. – Physician Assistant Affiliated Credentialing Board Representative
   g. Kane, Amanda – Board of Nursing Representative
   h. Majeed-Haqqi, Lubna – Medical Examining Board Representative
   i. Olsen, Christopher M. – Pharmacologist Representative
   j. Weitekamp, John – Pharmacy Examining Board Representative
3. Alternates
   a. Alton, Troy – Dentistry Examining Board Representative
   b. Leuthner, Steven – Medical Examining Board Representative
   c. Weinman, Robert – Board of Nursing Representative

F. Administrative Rule Matters – Discussion and Consideration (7-28)

1. Affirmative Action Order:
   a. CSB 2.017, Relating to Scheduling 4-fluroamphetamine **(8)**
2. Preliminary Rule Draft
   a. CSB 2.013, Relating to Scheduling Dipentylone **(9-11)**
   b. CSB 2.014, Relating to Scheduling2 Synthetic Benzimidazole-Opioids **(12-15)**
3. Final Rule Draft:
   a. CSB 2.012, Relating to Scheduling 7 Fentanyl-related Substances **(16-27)**
4. Pending or Possible Rulemaking Projects
   a. Rule Projects Chart **(28)**

G. Prescription Drug Monitoring Program (PDMP) Updates – Discussion and Consideration (29-38)

1. WI ePDMP Operations **(30-37)**
   a. Recent and Upcoming Releases
   b. EHR Integration Status
2. WI PDMP Outreach **(38)**

H. DSPS Interdisciplinary Advisory Committee Liaison Report – Discussion and Consideration

I. Board Member Reports – Discussion and Consideration

1. Medical Examining Board
2. Dentistry Examining Board
3. Board of Nursing
4. Pharmacy Examining Board
5. Physician Assistant Affiliated Credentialing Board

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

K. Liaison Reports

L. Deliberation on Special Use Authorizations – Discussion and Consideration

M. Discussion and Consideration of Items Added After Preparation of 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. Public Health Emergencies
14. Appearances from Requests Received or Renewed
15. Speaking Engagements, Travel, or Public Relations Requests, and Reports
16. Consulting with Legal Counsel

N. 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.).

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: MAY 8, 2026

****

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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at https:\\dsps.wi.gov. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

DRAFT

VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
JANUARY 23, 2026

PRESENT: Subhadeep Barman, Yvonne Bellay, Cullen Eberhardy, Doug Englebert, Jennifer Jarrett, Amanda Kane, Lubna Majeed-Haqqi, Christopher Olsen

ABSENT: David Gundersen, John Weitekamp

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Tracy Drinkwater, Board Administrative Specialist; and other DSPS Staff

CALL TO ORDER

Doug Englebert, Chairperson, called the meeting to order at 10:00 a.m. A quorum was confirmed with eight (8) members present.

ADOPTION OF AGENDA

MOTION: Cullen Eberhardy moved, seconded by Amanda Kane, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 14, 2025

MOTION: Subhadeep Barman moved, seconded by Cullen Eberhardy, to adopt the Minutes of November 14, 2025, as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

Recognition: Alan Bloom, Pharmacologist Representative (Resigned: 12/1/2025)

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to recognize and thank Alan Bloom for their years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Yvonne Bellay nominated Doug Englebert for the Office of Chairperson. Doug Englebert accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Doug Englebert was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Christopher Olsen nominated Christopher Olsen for the Office of Vice Chairperson.

Tom Ryan, Executive Director, called for nominations three (3) times.

Christopher Olsen was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Doug Englebert nominated Yvonne Bellay for the Office of Secretary. Yvonne Bellay accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Yvonne Bellay was elected as Secretary by unanimous voice vote.

Election of Officers

2026 OFFICERS	
Chairperson	Doug Englebert
Vice Chairperson	Christopher Olsen
Secretary	Yvonne Bellay

Appointment of Liaison and Alternates

LIAISON APPOINTMENTS	
Special Use Authorization (SUA) Liaison(s)	Yvonne Bellay, Christopher Olsen *Alternate:* Doug Englebert
PDMP Liaison(s)	Subhadeep Barman *Alternates:* John Weitekamp-Pharmacy Issues & Doug Englebert
Legislative Liaison(s)	Doug Englebert *Alternates:* John Weitekamp, Jennifer Jarrett
SCAODA Representative	Subhadeep Barman *Alternate:* Doug Englebert
Referral Criteria Workgroup	Doug Englebert, John Weitekamp, Subhadeep Barman, Amanda Kane, Jennifer Jarrett

	Alternate: Troy Alton
Interdisciplinary Advisory Committee	Doug Englebert *Alternate:* Lubna Majeed-Haqqi

Delegation of Authorities

Review and Approval of 2025 Delegations including new modifications

MOTION: Lubna Majeed-Haqqi moved, seconded by Doug Englebert, to reaffirm all delegation motions made in 2025, as reflected in the January 23, 2026, agenda materials**,** which were not otherwise modified or amended during the January 23, 2026, meeting. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Affirmative Action Order

CSB 2.016, Relating to Scheduling 4-Chloromethcathinone

MOTION: Subhadeep Barman moved, seconded by Jennifer Jarrett, to approve the affirmative action order adding 4-Chloromethcathinone as a schedule I controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

Scope Statement

CSB 2.015, Relating to Scheduling 7 Synthetic Benzimidazole-Opioids

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to approve the Scope Statement creating CSB 2.015, Relating to Scheduling 7 Synthetic Benzimidazole-Opioids, 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: Subhadeep Barman moved, seconded by Lubna Majeed-Haqqi, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:50 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**	**3/03/26** 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?
3/13/26	☒ Yes ☐ No	**Administrative Rule Matters – Discussion and Consideration** 1. **Affirmative Action Order:** a. **CSB 2.017, Relating to Scheduling 4-fluroamphetamine** 2. **Preliminary Rule Draft:** a. **CSB 2.013, Relating to Scheduling Dipentylone** b. **CSB 2.014, Relating to Scheduling2 Synthetic Benzimidazole-Opioids** 3. **Final Rule Draft:** a. **CSB 2.012, Relating to Scheduling 7 Fentanyl-related Substances** 4. **Pending or Possible Rulemaking Projects** a. **Rule Projects Chart**

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:

Review and take action on Scope Statement, Preliminary Rules Drafts, and Final Rule Drafts.

Attachments:

- Affirmative Action Order – CSB 2.017
- Preliminary Rule Draft – CSB 2.013 and 2.014
- Legislative Report, Final Rule Draft, EIA, and Clearinghouse Report – CSB 2.012
- Rule Projects Chart

(All Board Rule Projects can be Viewed Here if Needed: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx)

11) Authorization

Nilajah D. Hardin — 3/3/26

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	: : :	AFFIRMATIVE ACTION ORDER OF THE CONTROLLED SUBSTANCES BOARD

FINDINGS

1. On January 15, 2026, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing 4-fluoroamphetamine in schedule I of the federal Controlled Substances Act. The rule is effective as of February 17, 2026.

2. The Controlled Substances Board did not receive an objection to similarly listing 4-fluoroamphetamine in schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing 4-fluoroamphetamine as a schedule I 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. 961.13 and omitting the notice of proposed rulemaking, listing 4-fluoroamphetamine as a schedule I controlled substance.

ORDER

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

CSB 2.017 Addition of 4-fluoroamphetamine to Schedule I. Section 961.14 (7) (v), Stats., is created to read:

> **961.14 (7) (v).** 1-(4-fluorophenyl)propan-2-amine, commonly known as 4-fluoroamphetamine, para-fluoroamphetamine, or 4-FA.

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

Dated _____

_____
Doug Englebert, Chairperson
Controlled Substances Board

DRAFT

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 2.013, relating to scheduling Dipentylone.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 961.14, 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. 961.14, Stats.

DRAFT

Summary of, and comparison with, existing or proposed federal regulation:
On August 8, 2025, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register adding Dipentylone to schedule I of the federal Controlled Substances Act. The scheduling action was effective August 8, 2025.

Plain language analysis:
This rule schedules Dipentylone as a schedule I controlled substance. 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 rulemaking, listing Dipentylone as a schedule I controlled substance. Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats Dipentylone under chapter 961, Stats. by creating the following:

> **CSB 2.013 Addition of Dipentylone to Schedule I**. Section 961.14 (7) (L) 41., Stats., is created to read:
>
> **961.14 (7) (L) 41.** 1-(1,3-benzodioxol-5-yl)-2-(dimethylamino)pentan-1-one, commonly known as Dipentylone or N,N-dimethylpentylone.

The Affirmative Action order, dated September 29, 2025, took effect on October 6, 2025, upon 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: No comments were received.

Comparison with rules in adjacent states:
Illinois: Illinois has not listed Dipentylone as a schedule I controlled substance [720 Illinois Compiled Statutes 570 Section 204].

Iowa: Iowa has not listed Dipentylone as a schedule I controlled substance [Iowa Code 124.204].

Michigan: Michigan has not listed Dipentylone as a schedule I controlled substance [Michigan Compiled Laws s. 333.7212].

Minnesota: Minnesota has not listed Dipentylone as a schedule I controlled substance [Minnesota Statutes 152.02 (2)].

Summary of factual data and analytical methodologies:
The methodology was to schedule Dipentylone 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:

DRAFT

The proposed rule will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:
The fiscal estimate and economic impact analysis will be attached upon completion.

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 Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

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 14497, Madison, Wisconsin 53708-0497; 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 53708-0497, 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 2.013 is created to read:

> **CSB 2.013 Addition of Dipentylone to Schedule I**. Section 961.14 (7) (L) 41., Stats., is created to read:
>
> **961.14 (7) (L) 41.** 1-(1,3-benzodioxol-5-yl)-2-(dimethylamino)pentan-1-one, commonly known as Dipentylone or N,N-dimethylpentylone.

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)

DRAFT

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 2.014, relating to scheduling 2 Synthetic Benzimidazole-Opioids.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 961.14, 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. 961.14, Stats.

DRAFT

Summary of, and comparison with, existing or proposed federal regulation:
On August 15, 2025, the Department of Justice, Drug Enforcement Administration published its temporary scheduling order in the Federal Register adding N-pyrrolidino metonitazene and N-pyrrolidino protonitazene to schedule I of the federal Controlled Substances Act. The scheduling action was effective August 15, 2025.

Plain language analysis:
This rule schedules N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances. 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 rulemaking, listing N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances. Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats N-pyrrolidino metonitazene and N-pyrrolidino protonitazene under chapter 961, Stats. by creating the following:

> **CSB 2.014 Addition of 2 Synthetic Benzimidazole-Opioids to Schedule I**. Section 961.14 (2) (xm) 8e. and 8m., Stats., are created to read:
>
> > **961.14 (2) (xm) 8e.** N-pyrrolidino metonitazene also known as metonitazepyne (2-(4-methyoxbenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole).
> >
> > **961.14 (2) (xm) 8m.** and N-pyrrolidino protonitazene also known as protonitazepyne (5-nitro-2-(4-propoxybenzyl)-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole).

The Affirmative Action order, dated September 29, 2025, took effect on October 6, 2025, upon 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: No comments were received.

Comparison with rules in adjacent states:
Illinois: Illinois has not listed N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances [720 Illinois Compiled Statutes 570 Section 204].

Iowa: Iowa has not listed N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances [Iowa Code 124.204].

Michigan: Michigan has not listed N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances [Michigan Compiled Laws s. 333.7212].

Minnesota: Minnesota has not listed N-pyrrolidino metonitazene and N-pyrrolidino protonitazene as schedule I controlled substances [Minnesota Statutes 152.02 (2)].

Summary of factual data and analytical methodologies:

DRAFT

The methodology was to schedule N-pyrrolidino metonitazene and N-pyrrolidino protonitazene 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 proposed rule will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:
The fiscal estimate and economic impact analysis will be attached upon completion.

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 Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

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 14497, Madison, Wisconsin 53708-0497; 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 53708-0497, 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 2.014 is created to read:

CSB 2.014 Addition of 2 Synthetic Benzimidazole-Opioids to Schedule I. Section 961.14 (2) (xm) 8e. and 8m., Stats., are created to read:

961.14 (2) (xm) 8e. N-pyrrolidino metonitazene also known as metonitazepyne (2-(4-methyoxbenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole).

961.14 (2) (xm) 8m. and N-pyrrolidino protonitazene also known as protonitazepyne (5-nitro-2-(4-propoxybenzyl)-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole).

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.

DRAFT

(END OF TEXT OF RULE)

DRAFT

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULEMAKING	**:**	
PROCEEDINGS BEFORE THE	**:**	**REPORT TO THE LEGISLATURE**
CONTROLLED SUBSTANCES BOARD	**:**	**CR 25-094**

I. THE PROPOSED RULE: The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA: The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The objective of the proposed rule is to schedule the following seven fentanyl-related substances as schedule I controlled substances under s. 961.11 (4), Stats:

- Para-chlorofentanyl
- Ortho-chlorofentanyl
- Meta-fluorofuranyl fentanyl
- Ortho-methylcyclopropyl fentanyl
- Beta-methylacetyl fentanyl
- Tetrahydrothiofuranyl fentanyl
- Para-fluoro valeryl fentanyl

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. 961.13 and omitting the notice of proposed rulemaking, listing the above seven fentanyl-related substances as schedule I controlled substances. Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats the above seven fentanyl-related substances under chapter 961, Stats. by creating the following:

CSB 2.012 Addition of 7 Fentanyl Related Substances to Schedule I. **(1)** Section 961.14 (2) (nd) 8m, 12p, 16h, 16q, 16r, 17d, and 18m are created to read:

961.14 (2) (nd) 8m. Beta-methylacetyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide);

12p. Meta-fluorofuranyl fentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

16h. Ortho-chlorofentanyl (N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide);

16q. Ortho-methylcyclopropyl fentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);

DRAFT

16r. Para-chlorofentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide;

17d. Para-fluoro valeryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide);

18m. Tetrahydrothiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrothiophen-2-carboxamide);

The Affirmative Action order, dated March 18, 2025, took effect on March 31, 2025, upon publication in the Administrative Register and expires upon promulgation of a final rule.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

Per s. 961.11(4), Stats., if no objection is made, the board shall promulgate a final rule for which notice of proposed rulemaking is omitted. Therefore, the Board did not hold a public hearing. No other public comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Legislative Council Staff did not make any recommendations.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A

DRAFT

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 25-094)

PROPOSED ORDER

An order of the Controlled Substances Board to create CSB 2.012, relating to scheduling seven fentanyl-related substances.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 961.14, 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. 961.14, Stats.

DRAFT

Summary of, and comparison with, existing or proposed federal regulation:
On December 30, 2024, the Department of Justice, Drug Enforcement Administration published its temporary scheduling order in the Federal Register adding the seven fentanyl-related substances listed above to schedule I of the federal Controlled Substances Act. The scheduling action was effective December 30, 2024.

Plain language analysis:
The objective of the proposed rule is to schedule the following seven fentanyl-related substances as schedule I controlled substances under s. 961.11 (4), Stats:

- Para-chlorofentanyl
- Ortho-chlorofentanyl
- Meta-fluorofuranyl fentanyl
- Ortho-methylcyclopropyl fentanyl
- Beta-methylacetyl fentanyl
- Tetrahydrothiofuranyl fentanyl
- Para-fluoro valeryl fentanyl

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. 961.13 and omitting the notice of proposed rulemaking, listing the above seven fentanyl-related substances as schedule I controlled substances. Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats the above seven fentanyl-related substances under chapter 961, Stats. by creating the following:

> **CSB 2.012 Addition of 7 Fentanyl Related Substances to Schedule I**. **(1)** Section 961.14 (2) (nd) 8m, 12p, 16h, 16q, 16r, 17d, and 18m are created to read:
>
> 961.14 (2) (nd) 8m. Beta-methylacetyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide);
>
> 12p. Meta-fluorofuranyl fentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
>
> 16h. Ortho-chlorofentanyl (N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide);
>
> 16q. Ortho-methylcyclopropyl fentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);
>
> 16r. Para-chlorofentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide;
>
> 17d. Para-fluoro valeryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide);

DRAFT

18m. Tetrahydrothiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrothiophen-2-carboxamide);

The Affirmative Action order, dated March 18, 2025, took effect on March 31, 2025, upon 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: The Controlled Substances Board held a Preliminary Hearing on the Statement of Scope for SS 055-25 on September 19, 2025. No comments were received.

Comparison with rules in adjacent states:
Illinois: Illinois has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [720 Illinois Compiled Statutes 570/204].

Iowa: Iowa has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Iowa Code s. 124.204].

Michigan: Michigan has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Michigan Compiled Laws s. 333.7212].

Minnesota: Minnesota has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Minnesota Statutes s. 152.02 (2)].

Summary of factual data and analytical methodologies:
The methodology was to schedule the following seven fentanyl-related substances to conform with the federal Controlled Substances Act:

- Para-chlorofentanyl
- Ortho-chlorofentanyl
- Meta-fluorofuranyl fentanyl
- Ortho-methylcyclopropyl fentanyl
- Beta-methylacetyl fentanyl
- Tetrahydrothiofuranyl fentanyl
- Para-fluoro valeryl fentanyl

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:
The proposed rule was posted on the Department website for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

Fiscal Estimate and Economic Impact Analysis:
The fiscal estimate and economic impact analysis is attached.

Effect on small business:

DRAFT

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 Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

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 14497, Madison, Wisconsin 53708-0497; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. CSB 2.012 is created to read:

CSB 2.012 Addition of 7 Fentanyl Related Substances to Schedule I. **(1)** Section 961.14 (2) (nd) 8m, 12p, 16h, 16q, 16r, 17d, and 18m are created to read:

> **961.14 (2) (nd)** 8m. Beta-methylacetyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide);
>
> 12p. Meta-fluorofuranyl fentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
>
> 16h. Ortho-chlorofentanyl (N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide);
>
> 16q. Ortho-methylcyclopropyl fentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);
>
> 16r. Para-chlorofentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide;
>
> 17d. Para-fluoro valeryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide);
>
> 18m. Tetrahydrothiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrothiophen-2-carboxamide);

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)

This Proposed Order of the Controlled Substances Board is approved for submission to the Governor and Legislature.

DRAFT

Dated _____ Agency _____

Chairperson
Controlled Substances Board

DRAFT

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original ☐ Updated ☐ Corrected

2. Date
12/15/25

3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)
CSB 2.012

4. Subject
Scheduling 7 Fentanyl-Related Substances

5. Fund Sources Affected
☐ GPR ☐ FED ☒ PRO ☐ PRS ☐ SEG ☐ SEG-S

6. Chapter 20, Stats. Appropriations Affected
s. 20.165 (1) (g) (hg)

7. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect ☐ Increase Existing Revenues ☒ Increase Costs ☐ Decrease Costs
☐ Indeterminate ☐ Decrease Existing Revenues ☐ Could Absorb Within Agency's Budget

8. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy
☐ Local Government Units
☐ Specific Businesses/Sectors
☐ Public Utility Rate Payers
☐ Small Businesses **(if checked, complete Attachment A)**

9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).
$0

10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be $10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?
☐ Yes ☒ No

11. Policy Problem Addressed by the Rule
The objective of the proposed rule is to schedule the following seven fentanyl-related substances as schedule I controlled substances under s. 961.11 (4), Stats:

- Para-chlorofentanyl
- Ortho-chlorofentanyl
- Meta-fluorofuranyl fentanyl
- Ortho-methylcyclopropyl fentanyl
- Beta-methylacetyl fentanyl
- Tetrahydrothiofuranyl fentanyl
- Para-fluoro valeryl fentanyl

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. 961.13 and omitting the notice of proposed rulemaking, listing the above seven fentanyl-related substances as schedule I controlled substances. The Affirmative Action order, dated March 18, 2025, took effect on March 31, 2025, upon publication in the Administrative Register and expires upon promulgation of a final rule.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.
The proposed rule was posted on the DSPS Website for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No Comments were received.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.
None.

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

DSPS estimates a total of $4,800.00 in one-time costs to implement the rule. The estimated need for 0.1 limited term employee (LTE) is for internal review and consultation, rule promulgation, board meeting preparation and annual reporting. The one-time costs cannot be absorbed in the currently appropriated agency budget.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit is that the federal and state controlled substances acts will be uniform to avoid stakeholder confusion.

16. Long Range Implications of Implementing the Rule

The long range implications of implementing the rule are that Para-chlorofentanyl, Ortho-chlorofentanyl, Meta-fluorofuranyl fentanyl, Ortho-methylcyclopropyl fentanyl, Beta-methylacetyl fentanyl, Tetrahydrothiofuranyl fentanyl, Para-fluoro valeryl fentanyl will be added to Wis. Stat. ch. 961 as a schedule I controlled substances.

17. Compare With Approaches Being Used by Federal Government

On December 30, 2024, the Department of Justice, Drug Enforcement Administration published its temporary scheduling order in the Federal Register adding the seven fentanyl-related substances listed above to schedule I of the federal Controlled Substances Act. The scheduling action was effective December 30, 2024.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Illinois has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [720 Illinois Compiled Statutes 570/204].

Iowa: Iowa has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Iowa Code s. 124.204].

Michigan: Michigan has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Michigan Compiled Laws s. 333.7212].

Minnesota: Minnesota has not listed the seven fentanyl-related substances included in this rule as schedule I controlled substances [Minnesota Statutes s. 152.02 (2)].

19. Contact Name	20. Contact Phone Number
Nilajah Hardin, Administrative Rules Coordinator	608-267-7139

This document can be made available in alternate formats to individuals with disabilities upon request.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No

LCRC
FORM 2

Wisconsin Legislative Council
RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Margit Kelley
Clearinghouse Assistant Director

Anne Sappenfield
Legislative Council Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE **25-094**

AN ORDER to create CSB 2.012, relating to scheduling seven fentanyl-related substances.

Submitted by **CONTROLLED SUBSTANCES BOARD**

12-15-2025 RECEIVED BY LEGISLATIVE COUNCIL.
01-08-2026 REPORT SENT TO AGENCY.

MSK:SM

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

   Comment Attached YES ☐ NO ☑

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

   Comment Attached YES ☐ NO ☑

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

   Comment Attached YES ☐ NO ☑

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

   Comment Attached YES ☐ NO ☑

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

   Comment Attached YES ☐ NO ☑

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

   Comment Attached YES ☐ NO ☑

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

   Comment Attached YES ☐ NO ☑

Controlled Substances Board
Rule Projects (updated 3/3/26)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
25-094	055-25	02/25/2028	CSB 2.011 (Renumbered to 2.012)	Scheduling 7 Fentanyl-related Substances	Final Rule Draft Reviewed at 3/13/26 Meeting	Board Approval for Submission to Governor and Legislture
Not Assigned Yet	002-26	07/12/2028	CSB 2.013	Scheduling Dipentylone	Preliminary Rule Draft Reviewed at 3/13/26 Meeting	Board Approval for EIA Comment and Clearinghouse Review
Not Assigned Yet	003-26	07/12/2028	CSB 2.014	Scheduling 2 Synthetic Benzimidazole-Opioids	Preliminary Rule Draft Reviewed at 3/13/26 Meeting	Board Approval for EIA Comment and Clearinghouse Review
Not Assigned Yet	Not Assigned Yet	TBD	CSB 2.015	Scheduling 7 Synthetic Benzimidazole-Opioids	Scope Statement Submitted to Governor's Office on 2/19/26	Governor's Office Approval and Publication (Preliminary Public Hearing likely to be Ordered by JCRAR)
Not Assigned Yet	Not Assigned Yet	TBD	CSB 2.016	Scheduling 4-Chloromethcathinone	Affirmative Action Order Published on 2/23/26	Drafting Scope Statement
Not Assigned Yet	Not Assigned Yet	TBD	CSB 2.017	Scheduling 4-Fluoroamphetamine	Affirmative Action Order Reviewed at 3/13/26 Meeting	Affirmative Action Order Submission for Publication and Drafting of Scope Statement

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:
Marjorie Liu Program Lead, PDMP	03/02/2026 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?
03/13/2026	☒ Yes ☐ No	Prescription Drug Monitoring Program (PDMP) Updates – Discussion and Consideration

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	

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

1. WI ePDMP Operations
    a. Recent and Upcoming Releases
    b. EHR Integration Status
2. WI PDMP Outreach

11) Authorization

Marjorie Liu — March 2, 2026

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.

2024-2026 Development and Release Summary

Updated 2.27.2026

Release Date	Description
R33.38 **February 2026**	**DEA -> NPI Systemic Changeover** • NPI field added for Detailed Prescriber Monitoring Report • Enabling pharmacies to void/revise records submitted with DEA prior to the enforcement of NPI requirements **User Interface** • All Users: Updates to username help text • Pharmacy: Updates to Void/Revise screen • Non-prescribing Healthcare Professionals: Fixes for NPI requirement error for registration and query access **Website Updates pursuant to Title II of Americans with Disabilities Act**
R33.37 **January 2026**	**DEA -> NPI Systemic Changeover** • LE/Gov Dispenser Query Redesign **User Interface** • Void/Revise screen instruction updates • Expire Old Errors (before 1/1/2025) **Administration** • Display of Additional DEA Numbers of Prescribers for admin • Fix for November 2025 Dispenser Compliance Report Error **BadgerTraCS Law Enforcement Reports Ingestion:** fixes for API connection & test data transmission errors
R33.25 **December 2025**	Data System: • Dummy NPI of 9999999999 enabled • Dummy NPI dispenser report available for admin User Interface: • Pharmacy: Revise/Void screen updated to NPI entry • Pharmacy: Allow voided/revised without a DEA (for non-scheduled monitored drugs, i.e., Gabapentin) Automated Notification: • Updated language for Delegate and Medical Coordinator Assistant activation email
R33.24 **October 2025**	User Interface Updates: • Submitter: Remove Old Pharmacy Error Logs • Law Enforcement/Government Employee: Data Request Attestation Filename Criteria Language Update Website Management: • Delegate and Medical Coordinator Assistant Activation Email updates • User's First Name Updates to Reflect Name in LicensE
R33.23 **September 2025**	User Interface Updates: • Submitter: Update Manual Prescription Entry to ASAP4.2B

	• Submitter: Remove Old Pharmacy Error Logs • Dispensing Practitioner: account registration NPI field ready for entry Website Management: • Patient Matching Processing Job Enhancement • Patient's Gender on the Patient Report to pull in the Gender from the Most Recent Dispensing Admin Portal: Territories Added to inter-State Query Services Configuration Screen
R33.22 **August 2025**	**DEA -> NPI Systemic Changeover** • NPI information auto-populated on the Record Entry screen for Pharmacy and Dispensing Practitioner account types • Erroneously flagged errors of historical records removed from pharmacy error logs **Administration** Dispenser Report workflow fixes for Law Enforcement or Government user
R33.21 **July 2025**	**DEA -> NPI Systemic Changeover** • Dispenser Compliance Report reverted to using DEA first, switching to NPI on 12/1 • Pharmacy Zero Report auto populates NPI or leaves blank if account profile doesn't Include NPI • Data Submitter Guide updates **Administration** Fixes for Detailed Prescriber Monitoring Report **User Interface** • Dispenser Report download fixes for Law Enforcement or Government user • Submission data field PHA05 (Pharmacy Address 1) now accepts up to 55 characters
R33.20 **June 2025**	**Website changes adapting to NPI Requirements** Automated Notification Language Updates: • Submission compliance notification when NPI is missing • Gabapentin reporting guideline updates User Portal • Healthcare Professional Account – NPI requirement pop up updates • Law enforcement/investigative unit account: NPI added to prescriber and dispenser report request screen for Data Analytics • Metrics calculations revert to DEA-based

R33.19 **May 2025**	**Website changes adapting to NPI Requirements** Data Analytics • NPI Search Added to Detailed Prescriber Monitoring Report • NPI Added to Opioid Prescribing Practice Summary Report **Admin Portal Fixes and Updates**
R33.18 **April 2025**	Website Administration: • On-going Formatting and Calculation cleanups for automated Reports • NPI data field added to reports User Portal: NPI field added to search screen (for law enforcement, prosecutorial, and regulatory agencies)
R33.17 **March 2025**	User Portal: • Additional DEA fields in Prescribers account profile • NPI field added in Pharmacy account profile
R33.16 **February 2025**	Data Analytics Updates: • MME Conversion Factors updates • Buprenorphine exclusion rules applied to automated reporting of prescribing reports User Interface Updates • Healthcare Professionals - MME Calculator & Addiction Resource Updates • Investigators - Dispenser Report Request via User Accounts Administrative workflow updates - NPI added to Pending Account Registration Review Webpage Language Updates: Registration Page, Dashboard charts
R33.15.1 **February 2025**	Emergency Release to fix errors for out of state queries connecting via PMPi hub
R33.15 **January 2025**	Data Analytics Updates: • New admin tool of adding additional DEA numbers to automate Detailed Prescriber Monitoring Report • Formatting updates on Opioid Practice Summary Report User Interface Updates: • Pharmacy Account data revise/edit screen now with multiple DEAs dropdown selection
R33.14 **January 2025**	Updates to online form “Report Suspected Errors in WI ePDMP Date” PDF Pharmacy additional DEA display Increased License Number Character Limits from 7 to 8 File Processing Updates - Skipping Duplicate Files
R33.13 **December 2024**	User Interface: • Updated Text on the Delegate Management Screen • Updated Calculations for Daily Prescribing Volume Ranking for Opioids • License Number is no Longer a Required Field for a Medical Coordinator Account

	Admin Portal Updates: • Added Submission Date to Prescriber Alerts Table • NDC of Dispensed Medications displayed in the prescriber Report • Updated the Prescriber Query Compliance Report
R33.12 **November 2024**	ePDMP Webpage Updates: Contact Us info & user registration screen for Medical Coordinator and Researcher Analytics and Reports Updates- • Prescriber Monitoring Report Charts Readability • Prescriber Address populated on Dispensing History Details Administrative Workflow Enhancement: Alert reviewing screen updates
R33.11 **September 2024**	Non – HCP Alert Displays on Requested Reports Detailed Prescriber Monitoring Report Rework Updated Quarterly CSB Reports Prescriber Address Visible on Patient Report Table
R33.10 **August 2024**	Automation of Reports: • Opioid Prescribing Practice Summary Report Review • Quarterly Statistics for CSB Report Review • Detailed Prescriber Monitoring Report Review • Prescriber Address Populated on UI EHR Support Partial Refill Review
R33.9 **July 2024**	Opioid Prescribing Practice Summary Report Review Text Updates in UI Updates to notification emails Prescriber Query Compliance Report update
R33.8 **June 2024**	Opioid Prescribing Practice Summary Report Review Quarterly CSB Report Review Compound Drug UI Statistic utilization optimizations Addition of email address to non-HCP query requests
R33.7 **May 2024**	Dispenser Compliance Report Review Submitter/Dispenser Report Review
R33.6 **April 2024**	System Updates • Pending Account Changes UI language • UAT email notification links • Controlled Substance UI language Updated error messages for Submitters RXCheck 3.1 Update and Patch Statistics Dashboard populate counties' logic EHR Support

R33.5 **March 2024**	Statistics reporting updates EHR/Epic OAuth Support File Submission Queue processing
R33.4 **February 2024**	DEA File Updates LicenseE Update – State License Validation Training Materials Update File Processing support EHR support
R33.3 **January 2024**	LicenseE Update – New User Registration LicenseE Update – User Login Validation PDMP UI Page Text Updates • Home Page • Contact Us • Patient History Detail File Processing Support EHR Support
R33.2 **January 2024**	Pharmacy Users fixes • Zero reports • Revise/Correct/Void File Processing support EHR support

WI ePDMP Integration Services Summary

Updated 2.27.2026

Pending Health Systems and EHR Platforms	Status			Notes
Internal Medicine Associates	In discussion			
MECFS Clinic MN	In discussion			
CareATC	In discussion			
Connected Health Systems (61% of monthly patient queries)	**Free Pricing Model**	**Implementation Date**	**Est. Total # of Users**	**Notes**
Advent Health		03/05/2023	15	
Allina Health	Y	09/18/2023	100	
Ascension Wisconsin				
Aspirus Health Care				
Aurora Health Care	Y	05/08/2024	12,000	
Children's Hospital of Wisconsin	Y	09/01/2022	300	
Clark County	Y	11/01/2023		
Clean Slate	Y	09/01/2022	26	
CompuGroup Medical	Y	08/14/2024	50	
DrFirst	**Y**	05/01/2025		
Froedtert & the Medical College of Wisconsin			100	Pending signed Free agreement
GHC of South Central Wisconsin	Y	09/01/2024		
Gundersen Health System			800	Pending signed Free agreement
HealthPartners				
HSHS / Prevea Health	Y	01/01/2023	500	
M Health Fairview	Y	08/01/2022	30	
Marshfield Clinic	Y	09/01/2022	100	
Mayo Clinic				
Mercy Health	Y	08/01/2022	766	
Monroe Clinic				
NOVO Health Technology Group	Y	02/01/2023		

OakLeaf	Y	6/11/2025	116	
Ochin	Y	12/21/2022	100	
ProHealth Care	Y	1/17/2025		
QuadMed, LLC	Y	5/17/2023	40	
SSM Health				
Thedacare				Pending signed Free agreement
UnityPoint				
UW Health			4000	
Wisconsin Statewide Health Information Network	Y	09/01/2022	3500	

DrFirst Facilities	
Alay Health Team	National Medical Groups
Associated Mental Health Consultants	Nova Integrated Care LLC
Behavioral Health Svcs of Racine Co.	**Northwest Passage**
Benjamin S. Gozon MDSC D/B/A Capitol Rehabilitation Clinic	Oak Medical
Best Self Counseling Center	Oral Surgery Associates of Milwaukee
Christian Family Solutions	Orthopedic Hospital of Wisconsin
Curana Health of Wisconsin	Pain Management and Treatment Center
Door County Memorial Hospital	Pediatrics Associates
Dr. Colleen Worth, DNP, APNP	Reka Furedi MD
Empower Recovery	Red Oak Counseling
Envision ADHD Clinic	Regional Medical Center
FAMILY PSYCHIATRIC CARE, LLC	Richland Hospital
Fort Healthcare	Rogers Memorial Hospital
GI Associates LLC	RULA-WI
Heartland Hospice	Sauk Prairie Memorial Hospital
Housing Initiatives	Shorewood Behavioral Health
Jonathan Hoerl PMHNP	Third Eye Health
Kelly Pickens	**UHS_PA_WI**
Lake Superior Community Health Center	University of Wisconsin - Milwaukee
Linc Health Clinic	Watertown Rainbow Hospice
Lifestance Health WI	Wauwatosa Children’s Clinic

Madison Recovery Center	Watertown Regional Medical Center
Marshfield Clinic Health System	Yee Xiong MD
Mental Health Specialty Group PA	
Mile Bluff Medical Center	
Milwaukee Medical Associate, SC	
Mindful Healing and Wellness LLC	

2026 WI PDMP Outreach Calendar

MONTH	EVENT	DESCRIPTION	DATES	NOTES
January				
February	Overdose Fatality Review (OFR) State Advisory Group	DSPS Representative; inter-agency advisory board for OFR participating local sites	2/12/2026	Virtual; Quarterly Meeting
March	RxCheck Governance Board Meeting	Board Member-Participant; Interstate PDMP data exchange discussion	3/122026	Virtual; Quarterly Meeting
April	Overdose Fatality Review (OFR) State Advisory Group	DSPS Representative; inter-agency advisory board for OFR participating local sites	4/9/2026	Virtual; Quarterly Meeting
May				
June	RxCheck Governance Board Meeting	Board Member-Participant; Interstate PDMP data exchange discussion	6/11/2026	Virtual; Quarterly Meeting
	PMP InterConnect Steering Committee Meeting	Participant; Annual national meeting for PDMP administrators organized by National Association of Boards of Pharmacy (NABP)	6/23-6/24/2026	Mount Prospect, IL
July	Overdose Fatality Review (OFR) State Advisory Group	DSPS Representative; inter-agency advisory board for OFR participating local sites	7/9/2026	Virtual; Quarterly Meeting
August	Wisconsin Substance Use Summit	PDMP Information Booth	8/5-8/6/2026	Green Bay, WI
September	RxCheck Governance Board Meeting	Board Member-Participant; Interstate PDMP data exchange discussion	9/10/2026	Virtual; Quarterly Meeting
October	Overdose Fatality Review (OFR) State Advisory Group	DSPS Representative; inter-agency advisory board for OFR participating local sites	10/8/2026	Virtual; Quarterly Meeting
	NASCSA Conference (National Association of State Controlled Substances Authorities)	Presenter; annual national meeting organized by NASCSA for government controlled substances authority, PDMP and healthcare professionals	10/26-10/29/2026	Portland, ME
November				
December	RxCheck Governance Board Meeting	Board Member-Participant; Interstate PDMP data exchange discussion	12/10/2026	Virtual; Quarterly Meeting