



**VIRTUAL/TELECONFERENCE
PHARMACY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
June 19, 2025**

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 of the Board.

AGENDA

11:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of April 17, 2025 (5-8)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition – Discussion and Consideration
- E. Administrative Matters – Discussion and Consideration**
 - 1. Department, Staff and Board Updates
 - 2. Election of Officers, Appointments of Liaisons and Alternates, Delegation of Authorities
 - 3. Board Members – Term Expiration Dates
 - a. Kleppin, Susan – 7/1/2025
 - b. O’Hagan, Tiffany M. – 7/1/2028
 - c. Peterangelo, Anthony – 7/1/2027
 - d. Walsh, Michael – 7/1/2024
 - e. Weitekamp, John G. – 7/1/2026
 - f. Wilson, Christa – 7/1/2025
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (9-10)**
 - 1. Pending or Possible Rulemaking Projects (10)
- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration (11)**
 - 1. Travel Report: The Tri-Regulatory Symposium & Opioid Regulatory Collaborative Summit, March 6-7, 2025, Tyson’s Corner, VA – Weitekamp, Wojciechowski
 - 2. Travel Report: 121st NABP Annual Meeting, May 13-16, 2025, Fort Lauderdale, FL – O’Hagan, Weitekamp, Wojciechowski

3. Travel Report: APhA Institute on Substance Use Disorders, May 28-31, 2025, Salt Lake City, UT – Weitekamp
4. Travel Request: NABP and AACP District IV Meeting, September 10-12, 2025, Fort Wayne, IN
5. Travel Request: MPJE State-Specific Review, September 17-19, 2025, Mt. Prospect, IL

I. Interdisciplinary Advisory Committee – Discussion and Consideration

J. National Association of Boards of Pharmacy Matters – Discussion and Consideration

K. NABP Pulse Regulator Monthly Champions Call – Discussion and Consideration

L. Prescription Drug Monitoring Program (PDMP) Updates (12-19)

1. Ch. CSB 4.04 Rule Amendments Effective July 1, 2025 **(13-15)**
 - a. National Provider Identifier (NPI) required beginning Dec 1, 2025: PDMP registration and reporting dispensing records; DEA required if applicable
 - b. Reporting “pick-up person” for mail delivered Schedule II and III drugs
2. CSB 4.08 (4) Repealed Effective July 1, 2025: Reporting Gabapentin with NPI **(16-19)**
3. Communication and Outreach

M. Newsletter Matters – Discussion and Consideration

N. Credentialing Matters – Discussion and Consideration

O. Liaison Reports – Discussion and Consideration

P. Discussion and Consideration on Items Added After Preparation of Agenda

1. Introductions, Announcements and Recognition
2. Nominations, Elections, and Appointments
3. Administrative Matters
4. Election of Officers
5. Appointment of Liaisons and Alternates
6. Delegation of Authorities
7. Education and Examination Matters
8. Credentialing Matters
9. Practice Matters
10. Legislative and Policy Matters
11. Administrative Rule Matters
12. Public Health Emergencies
13. Pilot Program Matters
14. Variances
15. Liaison Reports
16. Board Liaison Training and Appointment of Mentors
17. Informational Items
18. Division of Legal Services and Compliance (DLSC) Matters
19. Presentations of Petitions for Summary Suspension
20. Petitions for Designation of Hearing Examiner
21. Presentation of Stipulations, Final Decisions and Orders
22. Presentation of Proposed Final Decisions and Orders
23. Presentation of Interim Orders

24. Pilot Program Matters
25. Petitions for Re-Hearing
26. Petitions for Assessments
27. Petitions to Vacate Orders
28. Requests for Disciplinary Proceeding Presentations
29. Motions
30. Petitions
31. Appearances from Requests Received or Renewed
32. Speaking Engagements, Travel, or Public Relation Requests, and Reports

Q. 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 closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, 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.).

R. Credentialing Matters

1. Application Review

- a. C.F. – Pharmacist (IA-367245) **(20-54)**
- b. H.S. – Out-of-State 3rd Party Logistics Provider **(55-506)**
- c. J.B. – Pharmacy Technician (IA-551875) **(507-633)**
- d. K.E. – Pharmacist (IA-638990) **(634-678)**
- e. M.V.H.S. – Pharmacy Out-of-State (IA-519005) **(679-808)**

S. Deliberation on Division of Legal Services and Compliance Matters

1. Administrative Warnings

- a. 24 PHM 0056 – B.J.G. **(809-810)**
- b. 24 PHM 0056 – S.J.F. **(811-812)**
- c. 24 PHM 0062 – J.J.G. **(813-814)**
- d. 24 PHM 0082 – M.E. **(815-816)**
- e. 24 PHM 0086 – J.M.T. **(817-819)**
- f. 24 PHM 0096 – R.E.L. **(820-821)**
- g. 24 PHM 0118 – M.A. **(822-823)**
- h. 25 PHM 0027 – N.M.B. **(824-825)**

2. Case Closings

- a. 24 PHM 003 – L.P.S. **(826-829)**
- b. 24 PHM 0062 – C.P. **(830-836)**
- c. 24 PHM 0072 – C.M.D., M.S. **(837-841)**
- d. 24 PHM 0096 – W. **(842-846)**
- e. 25 PHM 0027 – W. **(847-850)**
- f. 25 PHM 0046 – M.M.P. **(851-854)**
- g. 25 PHM 0071 – A.I.S. **(855-858)**

3. Proposed Stipulations, Final Decisions and Orders

- a. 24 PHM 0186 – Megan E. Adams **(859-864)**

T. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Application Reviews
- 4) DLSC Matters

- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petitions for Summary Suspensions
- 8) Petitions for Designation of Hearing Examiner
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Proposed Interim Orders
- 11) Administrative Warnings
- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Matters Relating to Costs/Orders Fixing Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

U. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: AUGUST 21, 2025

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.

**HYBRID (IN-PERSON/VIRTUAL)
PHARMACY EXAMINING BOARD
MEETING MINUTES
APRIL 17, 2025**

PRESENT: Susan Kleppin; Tiffany O'Hagan; Anthony Peterangelo (*virtual*), Michael Walsh, John Weitekamp, Christa Wilson (*virtual*)

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Brenda Taylor, Board Services Supervisor; and other Department staff

CALL TO ORDER

John Weitekamp, Chairperson, called the meeting to order at 11:11 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 20, 2025

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to approve the Minutes of February 20, 2025, as published. Motion carried unanimously.

Delegation of Authorities

Pre-Screening Delegation to Open Cases for Out of State Pharmacies

MOTION: John Weitekamp moved, seconded by Michael Walsh, to delegate pre-screening decision making authority to the Department screening attorney to open out-of-state pharmacy cases to investigate whether a nexus to Wisconsin exists. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Final Rule Draft and Legislative Report: Phar 15, Relating to Compounding Pharmaceuticals

MOTION: John Weitekamp moved, seconded by Michael Walsh, to designate Susan Kleppin to approve the Legislative Report and Draft for Clearinghouse Rule 24-092 on Phar 15, Relating to Compounding Pharmaceuticals for submission to the Governor's Office and Legislature. Motion carried unanimously.

Update on Phar 8, Relating to Controlled Substances Requirements

MOTION: Michael Walsh moved, seconded by Susan Kleppin, to designate the Chairperson to approve the Adoption Order for Clearinghouse Rule 24-070 (Phar 8), relating to Controlled Substances Requirements after the Legislature's Joint Committee for Review of Administrative Rules has completed their review. Motion carried unanimously.

CLOSED SESSION

MOTION: Susan Kleppin moved, seconded by Tiffany O'Hagan, to 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 closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, 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.). John Weitekamp, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Susan Kleppin-yes; Tiffany O'Hagan-yes; Anthony Peterangelo-yes; Michael Walsh-yes; John Weitekamp-yes; and Christa Wilson-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:20 p.m.

CREDENTIALING MATTERS

Application Reviews

M.V.H.S. – Pharmacy Out-of-State (IA 519005)

MOTION: Tiffany O'Hagan moved, seconded by Michael Walsh, to authorize Board Counsel to request additional information from Applicant and to table further consideration and action on their application (IA 519005). Motion carried unanimously.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

24 PHM 0140 – N.J.O.

MOTION: Anthony Peterangelo moved, seconded by John Walsh, to issue an Administrative Warning in the matter of N.J.O., DLSC Case Number 24 PHM 0140. Motion carried unanimously.

Case Closings

21 PHM 162 – W.P. No violation

MOTION: Susan Kleppin moved, seconded by John Weitekamp, to close DLSC Case Number 21 PHM 162, against W.P., for no violation. Motion carried unanimously.

(Christa Wilson recused herself and left the room for deliberation and voting in the matter concerning W.P., DLSC Case Number 21 PHM 162.)

MOTION: Michael Walsh moved, seconded by Tiffany O'Hagan, to close the following DLSC Cases for the reasons outlined below:
22 PHM 141 – P.P.S. – No Violation
23 PHM 170 – W.P. – No Violation
23 PHM 185 – E.P. – No Violation
24 PHM 010 and 24 PHM 0090 – R.R. – No Violation
24 PHM 0067 – W. – No Violation
24 PHM 0140 – W.P. – Prosecutorial Discretion (P2)
24 PHM 0167 – T.T.C.S. – No Violation
25 PHM 0005 – M.M.S. – No Violation
Motion carried unanimously.

23 PHM 128 – O.S.S., C.P.

MOTION: Tiffany O'Hagan moved, seconded by Michael Walsh, to refer back DLSC Case Number 23 PHM 128, against O.S.S. and C.P., for further investigation. Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Anthony Peterangelo moved, seconded by John Weitekamp, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
23 PHM 049 – Justin D. Smith
23 PHM 061 – Walgreens #03109
Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS

***Taylor A. Roberts-Dever, Respondent (DHA Case Number SPS-24-0056/
DLSC Case Number 23 PHM 097)***

MOTION: Michael Walsh moved, seconded by John Weitekamp, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Taylor A. Roberts-Dever – DHA Case Number SPS-24-0056/ DLSC Case Number 23 PHM 097. Motion carried unanimously.

(Christa Wilson recused herself and left the room for deliberation and voting in the matter concerning Taylor A. Roberts-Dever, Respondent, DHA Case Number SPS-24-0056/DLSC Case Number 23 PHM 097.)

RECONVENE TO OPEN SESSION

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 2:16 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Susan Kleppin moved, seconded by Tiffany O'Hagan, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:18 p.m.

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

AGENDA REQUEST FORM


1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 06/09/25 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>											
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board													
4) Meeting Date: 06/19/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Pending or Possible Rulemaking Projects											
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A											
10) Describe the issue and action that should be addressed: Attachments: 1. Rule Projects Chart Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">11) Authorization</td> <td style="width: 40%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black; text-align: right;">06/09/25</td> </tr> <tr> <td style="text-align: right;">Signature of person making this request</td> <td style="text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				11) Authorization			06/09/25	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	
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Pharmacy Examining Board
Rule Projects (updated 06/09/25)

CH Rule Number	Scope Number	Scope Expiration Date	Code Chapter Affected	Relating Clause	Stage of Rule Process	Next Step
Not Assigned Yet	002-25	07/13/2027	Phar 1. 6, 7, and 10	Pharmacy Workplace Conditions	Drafting	Board Approval of Preliminary Rule Draft for EIA Comment and Clearinghouse Review
Not Assigned Yet	089-24	05/05/2027	Phar 7	Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substance Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check	Drafting	Board Approval of Preliminary Rule Draft for EIA Comment and Clearinghouse Review
24-070 (EmR 2411)	044-23	01/10/2026	Phar 8	Controlled Substances Requirements	Emergency Rule: Effective 10/01/24-06/27/25 Permanent Rule: Effective 07/01/25	N/A
24-092	007-23	07/23/2025	Phar 15	Compounding Pharmaceuticals	Governor's Office Approval of Final Rule on 06/05/25	Submission to Legislature

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 6/6/2025 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 6/19/2025	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration 1) The Tri-Regulatory Symposium & Opioid Regulatory Collaborative Summit, March 6-7, 2025, Tyson's Corner, VA – Weitekamp, Wojciechowski 2) 121 st NABP Annual Meeting, May 13-16, 2025, Fort Lauderdale, FL – O'Hagan, Weitekamp, Wojciechowski 3) APhA Institute on Substance Use Disorders, May 28-31, 2025, Salt Lake City, UT – Weitekamp 4) NABP and AACP District IV Meeting, September 10-12, 2025, Fort Wayne, IN 5) MPJE State-Specific Review, September 17-19, 2025, Mt. Prospect, IL	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input type="checkbox"/> No		9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>
10) Describe the issue and action that should be addressed:			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  Signature of person making this request </div> <div style="text-align: center;"> 6/6/2025 Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> Supervisor (Only required for post agenda deadline items) </div> <div style="text-align: center;"> Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> Executive Director signature (Indicates approval for post agenda deadline items) </div> <div style="text-align: center;"> Date </div> </div>			

**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: 06/09/2025 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>																
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Borad																		
4) Meeting Date: 06/19/2025	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Prescription Drug Monitoring Program (PDMP) Updates																
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:															
10) Describe the issue and action that should be addressed: WI PDMP Updates: <ol style="list-style-type: none"> 1. Ch. CSB 4.04 Rule Amendments Effective July 1, 2025 <ol style="list-style-type: none"> a. National Provider Identifier (NPI) required beginning Dec 1, 2025: PDMP registration and reporting dispensing records; DEA required if applicable b. Reporting "pick-up person" for mail delivered Schedule II and III drugs 2. CSB 4.08 (4) Repealed Effective July 1, 2025: Reporting Gabapentin with NPI 3. Communication and Outreach 																		
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STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	CONTROLLED SUBSTANCES
CONTROLLED SUBSTANCES BOARD	:	BOARD
	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 24-060)

ORDER

An order of the Controlled Substances Board to amend CSB 4.04 (2) (p), relating to mail delivered prescriptions.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 450.11 (1b)(f) and 961.385 (2) (b), Stats.

Statutory authority: s. 961.385 (2) (a), Stats.

Explanation of agency authority:

961.385 (2) (a), Stats. states that the board shall establish by rule and have the prescription drug monitoring program “require a pharmacy or a practitioner to generate a record documenting each dispensing of a monitored prescription drug at the pharmacy, or if the monitored prescription drug is not dispensed at the pharmacy, by the practitioner and to submit the record to the board no later than 11:59 p.m. of the next business day after the monitored prescription drug is dispensed...”

Related statute or rule: Wisconsin Administrative Code Chapter Phar 8

Plain language analysis: Wisconsin Administrative Code Chapter CSB 4 currently outlines requirements for what data should be entered into the Wisconsin Prescription Drug Monitoring Program (PDMP) for each reportable prescription. Pursuant to s. 450.11 (1) (f), Stats., the Pharmacy Examining Board has written an exception, outlined in s. Phar 8.06 (2), that applies to the name required under s. CSB 4.04 (2) (p) when the prescription is delivered to the patient via common carrier or delivery services. As currently written, s. CSB 4.04 (2) (p) does not allow for a practitioner to make this exception. Therefore, the Controlled Substances Board has updated the requirement so that this exception can occur without causing data entry issues for the PDMP. Without making changes under the proposed rule, there will continue to be a lack of clarity and around the name that needs to be entered into the PDMP per s. CSB 4.04 (2) (p).

Summary of, and comparison with, existing or proposed federal regulation: None.

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 Statement of Scope for this project on March 8, 2024. No public comments were received.

Comparison with rules in adjacent states:

Illinois: The Illinois Prescription Monitoring Program does not specify that the person to whom the drug was dispensed must provide identification and that the name on the identification must be recorded into the system. There also does not appear to be an exception to data entry when a prescription is delivered via mail. However, the recipient's name, address, date of birth, and gender are required for each reportable prescription [720 Illinois Compiled Statutes Chapter 570 Section 316].

Iowa: The Iowa Prescription Monitoring Program does not specify that the person to whom the drug was dispensed must provide identification and that the name on the identification must be recorded into the system. There also does not appear to be an exception to data entry when a prescription is delivered via mail. Outside of the prescriber's name and Drug Enforcement Administration (DEA) registration number, only the patient's name and various pieces of information are required for each reportable prescription [657 Iowa Administrative Code Chapter 37 Section 12].

Michigan: The Michigan Automated Prescription System, the states electronic system for monitoring schedule II to V controlled substances, does not specify that the person to whom the drug was dispensed must provide identification and that the name on the identification must be recorded into the system. There also does not appear to be an exception to data entry when a prescription is delivered via mail. However, there is a provision that allows for the dispensing prescriber to presume that the identification provided by the patient or their representative is correct [Michigan Administrative Rules R 338.3162b].

Minnesota: The Minnesota Prescription Monitoring Program does not specify that the person to whom the drug was dispensed must provide identification and that the name on the identification must be recorded into the system. There is an exception where the dispenser is not required to submit data to the program for a prescription that is mailed or delivered from Minnesota to another state, as long as the data is reported to the prescription drug monitoring program of that state. Various pieces of dispenser, patient, and prescriber data are required for each reportable prescription [Minnesota Statutes Chapter 152 Section 152.126 Subdivision 4].

Summary of factual data and analytical methodologies: The Board reviewed Wisconsin Administrative Code Chapter CSB 4 and made updates as needed based on a recommendation from the Wisconsin Pharmacy Examining Board.

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

The proposed rules were 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. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is 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 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 8366, Madison, Wisconsin 53708; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. CSB 4.04 (2) (p) is amended to read:

CSB 4.04 (2) (p) The name recorded under s. 450.11 (1b) (bm), Stats., unless exempted pursuant to s. Phar 8.06 (2).

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)

Dated 05/09/2025

Agency *Douglas Englebert*
Chairperson
Controlled Substances Board

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	CONTROLLED SUBSTANCES
CONTROLLED SUBSTANCES BOARD	:	BOARD
	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 24-013)

ORDER

An order of the Controlled Substances Board to create CSB 4.02 (12s), 4.04 (2) (bm) and (im), and 4.097 (1) (i), and amend CSB 4.04 (2) (b) and (i), 4.05 (1) (b) (Note), 4.06 (3) (b) (Note), 4.07 (2) (Note), and 4.08 (1) (b) (Note), and repeal CSB 4.08 (4), relating to national provider identifier requirement.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 961.385 (2) (b) and (7s), Stats.

Statutory authority: s. 961.385 (2) (b), Stats.

Explanation of agency authority:

961.385 (2) (b) states that the board shall establish by rule and have the prescription drug monitoring program “Identify specific data elements to be contained in a record documenting the dispensing of a monitored prescription drug, including the method of payment and, subject to sub. (2m), the name recorded under s. 450.44 (1b) (bm). In identifying specific data elements, the board shall consider data elements identified by similar programs in other states and shall ensure, to the extent possible, that records generated by the program are easily shared with other states.”

Related statute or rule: None.

Plain language analysis:

The objective of the proposed rule is to add the National Provider Identifier (NPI) for all dispensing and prescribing Prescription Drug Monitoring Program (PDMP) records by creating CSB 4.02 (12s), 4.04 (2) (bm) and (im). Sections CSB 4.04 (2) (b) and (i) were also updated to reflect that a DEA number is only required if applicable. The Board also repealed the exemption requirement under CSB 4.08 (4) that allowed dispensers to be exempt from reporting Gabapentin prescribing if they do not have a DEA number. Section CSB 4.097 (1) (i) was created to reflect that access to the PDMP can be restricted for failure to provide any of the data from CSB 4.04 (2) when required. Updates were also made to the mailing address for the Department in ss CSB 4.05 (1) (b) (Note), 4.06 (3) (b) (Note), 4.07 (2) (Note), and 4.08 (1) (b) (Note).

Summary of, and comparison with, existing or proposed federal regulation: None.

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: The Illinois Prescription Monitoring Program does not require an NPI number to be reported [720 Illinois Compiled Statutes Chapter 570 Section 316].

Iowa: The Iowa Prescription Monitoring Program does not require an NPI number to be reported [657 Iowa Administrative Code Chapter 37 Section 12].

Michigan: The Michigan Automated Prescription System, the states electronic system for monitoring schedule II to V controlled substances, does not require an NPI number to be reported [Michigan Administrative Rules R 338.3162b].

Minnesota: The Minnesota Prescription Monitoring Program requires the NPI number of the prescriber and the NPI number of the dispenser to be reported for all controlled substances dispensed in the state [Minnesota Statutes Chapter 152 Section 152.126 Subdivision 4].

Summary of factual data and analytical methodologies:

The Board reviewed Wisconsin Administrative Code Chapter CSB 4 in consultation with Wisconsin Prescription Drug Monitoring Program staff to determine where the NPI number requirement can be added and if updates to other sections in the chapter were needed.

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

The proposed rules were 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. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is 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 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 8366, Madison, Wisconsin 53708; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. CSB 4.02 (12s) is created to read:

CSB 4.02 (12s) “NPI number” means national provider identifier number, the unique number issued by the National Plan and Provider Enumeration System of the federal Centers for Medicare and Medicaid Services used in the U.S. to identify each health care provider.

SECTION 2. CSB 4.04 (2) (b) is amended to read:

CSB 4.04 (2) (b) The dispenser’s DEA registration number, if applicable.

SECTION 3. CSB 4.04 (2) (bm) is created to read:

CSB 4.04 (2) (bm) Beginning December 1, 2025, the dispenser’s NPI number.

SECTION 4. CSB 4.04 (2) (i) is amended to read:

CSB 4.04 (2) (i) The practitioner’s DEA registration number, if applicable.

SECTION 5. CSB 4.04 (2) (im) is created to read:

CSB 4.04 (2) (im) Beginning December 1, 2025, the prescriber’s NPI number.

SECTION 6. CSB 4.05 (1) (b) (Note), 4.06 (3) (b) (Note), 4.07 (2) (Note), and 4.08 (1) (b) (Note) are amended to read:

CSB 4.05 (1) (b) (Note) The guide for dispensers which specifies the data standards in version 4 release 2 of the ASAP implementation guide for prescription monitoring programs and other electronic formats identified by the board may be obtained online at <https://pdmp.wi.gov> or obtained at no charge from the Department of Safety and Professional Services, ~~1400 East Washington Avenue~~ 4822 Madison Yards Way, P.O. Box 8366, Madison, WI ~~53708~~ 53705.

CSB 4.06 (3) (b) (Note) The application for an emergency waiver may be obtained online at www.dsps.wi.gov or obtained at no charge from the Department of Safety and Professional Services, ~~1400 East Washington Avenue~~ 4822 Madison Yards Way, P.O. Box 8366, Madison, WI ~~53708~~ 53705.

CSB 4.07 (2) (Note) The written notice to the board may be submitted through an account with the board, sent by electronic mail or sent by U.S. mail to the Department of Safety and Professional Services ~~1400 East Washington Avenue~~, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI ~~53708~~53705.

CSB 4.08 (1) (b) (Note) The application for an exemption may be obtained online at www.dsps.wi.gov or at no charge from the Department of Safety and Professional Services ~~1400 East Washington Avenue~~, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI ~~53708~~53705. A dispenser who is already exempt can renew his or her exemption as part of the licensure renewal process.

SECTION 7. CSB 4.08 (4) is repealed.

SECTION 8. CSB 4.097 (1) (i) is created to read:

CSB 4.097 (1) (i) Beginning December 1, 2025, the board may temporarily suspend access to monitored prescription drug history reports when the healthcare professional fails to enter any of the data under s. CSB 4.04 (2) where required.

SECTION 9. 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)

Dated 05/09/2025

Agency *Douglas Englebert*
Chairperson
Controlled Substances Board