

STATEMENT OF SCOPE

CONTROLLED SUBSTANCES BOARD

Rule No.: CSB 4

Relating to: National Provider Identifier Requirement

Rule Type: Permanent

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

N/A

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

The objective of the proposed rule is to amend CSB 4 to reflect that there will be updates made to the Prescription Drug Monitoring Program relating to requiring a National Provider Identifier to be reported for prescriber accounts and on dispensing records.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapter CSB 4 currently outlines requirements for what is to be recorded in the Prescription Drug Monitoring Program. These requirements do not currently include the provision of a National Provider Identifier. By requiring this information, the program will be able to accurately monitor non-controlled substances that the Controlled Substances Board has deemed necessary to track, such as Gabapentin. Without making this change, the program will continue to operate without the ability to accurately monitor non-controlled substances.

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

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."

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

60 hours

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

Pharmacies, pharmacists, prescribers, and law enforcement.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. It is not likely to have a significant economic impact on small businesses.

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

Approved for publication:

Douglas Englebert

Authorized Signature

10/05/22

Date Submitted

Approved for implementation:

Douglas Englebert

Authorized Signature

12/7/22

Date Submitted