

STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD

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

1. On April 7, 2020, the Department of Justice, Drug Enforcement Administration published an interim final rule in the Federal Register placing lemborexant into schedule IV of the federal Controlled Substances Act. The scheduling action is effective April 7, 2020.
2. The Controlled Substances Board did not receive an objection to similarly treating lemborexant as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating lemborexant as a controlled substance.
3. The Controlled Substances Board will promulgate a final rule, without making the determinations or findings required by ss. 961.11(1), (1m), (1r) and (2) or s. 961.19 and without the notice of proposed rule making, designating lemborexant as a schedule IV controlled substance.

ORDER

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

**CSB 2.74 Addition of Lemborexant to schedule IV.** Section 961.20 (2) (eqm), Stats. amended to read:

961.20 (2) (eqm) Lemborexant.

This order shall take effect on May 18, 2020 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

