



2019 SENATE BILL 788

February 6, 2020 - Introduced by Senators LEMAHIEU, FITZGERALD, NASS, JOHNSON, DARLING, FEYEN, KOOYENGA, LARSON, OLSEN, PETROWSKI, TESTIN, WANGGAARD and BERNIER, cosponsored by Representatives PLUMER, NYGREN, LOUDENBECK, SANFELIPPO, KOLSTE, BILLINGS, BORN, DITTRICH, HEBL, KATSMA, KRUG, KULP, MAGNAFICI, MURSAU, OHNSTAD, PETERSEN, RODRIGUEZ, SARGENT, SPREITZER, SUBECK, WICHGERS and SKOWRONSKI. Referred to Committee on Health and Human Services.

1 **AN ACT** *to create* subchapter III of chapter 153 [precedes 153.85] of the statutes;
2 **relating to:** opioid and methamphetamine data system and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Administration to issue a request for proposals, subject to approval by the Joint Committee on Finance under its passive review process, to establish and maintain an opioid and methamphetamine data system to collect, format, analyze, and disseminate information on opioid and methamphetamine use as specified in the bill. DOA must collaborate with and collect data from the Department of Health Services, the Department of Corrections, the Department of Justice, the Department of Safety and Professional Services, and the Department of Children and Families and any other applicable agencies for the opioid and methamphetamine data system. Under the bill, DOA administers the contract with a vendor to operate the opioid and methamphetamine data system, has access to the data contained in the opioid and methamphetamine data system, and works with the vendor to disseminate information and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible. The opioid and methamphetamine data system must allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws. The bill requires DOA to submit a report to JCF summarizing the information from the opioid

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and methamphetamine data system and analyzing trends in that information across years of data collection.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** Subchapter III of chapter 153 [precedes 153.85] of the statutes is
2 created to read:

3 **CHAPTER 153**

4 SUBCHAPTER III

5 OPIOID AND

6 METHAMPHETAMINE DATA

7 **153.85 Definition; opioid and methamphetamine data.** In this
8 subchapter, “vendor” means a person awarded the contract following a request for
9 proposals described under s. 153.87.

10 **153.87 Opioid and methamphetamine data system.** (1) Subject to sub.
11 (3), the department of administration shall issue a request for proposals to establish
12 and maintain an opioid and methamphetamine data system to collect, format,
13 analyze, and disseminate information on opioid and methamphetamine use, which
14 shall include all of the following:

15 (a) Hospital discharge data from visits and stays related to opioid use or
16 overdose.

17 (b) Hospital discharge data from visits and stays related to methamphetamine
18 use or overdose.

19 (c) Records of hospitals diverting patients to other facilities to address opioid
20 use or overdose.

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1 (d) Records of hospitals diverting patients to other facilities to address
2 methamphetamine use or overdose.

3 (e) Ambulance service run data related to opioid use or overdose.

4 (f) The number of opioid-related overdoses in the state, the number of
5 individuals who overdose on opioids, and the opioids on which the individuals
6 overdose.

7 (g) The number of methamphetamine-related overdoses in the state, the
8 number of individuals who overdose on methamphetamines, and the forms of
9 methamphetamines on which the individuals overdose.

10 (h) Death records related to opioid use or overdose.

11 (i) Death records related to methamphetamine use or overdose.

12 (j) The number of opioid treatment centers in the state, by the owner or operator
13 of each opioid treatment center.

14 (k) The number of methamphetamine treatment centers in the state, by the
15 owner or operator of each methamphetamine treatment center.

16 (L) The number of providers in this state that are allowed to prescribe a drug
17 that is a combination of buprenorphine and naloxone, the patient capacity for those
18 prescribers, the number of patients taking such a combination drug, and the number
19 of patients who have discontinued such a combination drug due to successful
20 completion of a treatment program.

21 (m) The number of methadone clinics in the state, the number of patients
22 taking methadone, the number of patients who more than once have been on courses
23 of methadone, the number of patients who have discontinued methadone use due to
24 successful completion of a treatment program, and the number of patients who are
25 receiving methadone treatment for each of the following durations:

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1 1. Longer than 12 months.

2 2. Longer than 3 years.

3 3. Longer than 4 years.

4 4. Longer than 5 years.

5 5. Longer than 8 years.

6 6. Longer than 10 years.

7 (o) The amount of naloxone doses dispensed, the total number of naloxone doses
8 administered, and the number of unique patients who have received doses of
9 naloxone.

10 (p) The number of adults in the state who use opioids, the extent to which those
11 adults use opioids, and the type of opioids used.

12 (q) The number of adults in the state who use methamphetamines, the extent
13 to which those adults use methamphetamines, and the forms of methamphetamines
14 used.

15 (r) The number of minors in the state who use opioids, the extent to which those
16 minors use opioids, and the type of opioids used.

17 (s) The number of minors in the state who use methamphetamines, the extent
18 to which those minors use methamphetamines, and the forms of methamphetamines
19 used.

20 (t) The number of minors who enter the child protective services system due
21 to opioid use by a parent or guardian, length of time those minors are in out-of-home
22 care, and the type of reporter who notified child protective services of the needs of
23 the minor.

24 (u) The number of persons who are incarcerated and who are receiving
25 naltrexone for extended-release in injectable suspension, the number of persons

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1 who are on extended supervision or probation or on parole and who are receiving
2 extended-release naltrexone, the total number of doses of extended-release
3 naltrexone administered to persons who are incarcerated, on extended supervision
4 or probation, or on parole in this state, and the length of time that persons who are
5 incarcerated, on extended supervision or probation, or on parole are receiving
6 extended-release naltrexone.

7 (v) The number of arrests and convictions related to methadone and the
8 number related to a drug that is a combination of buprenorphine and naloxone.

9 (w) The number of arrests and convictions related to methamphetamines.

10 **(2)** The opioid and methamphetamine data system under sub. (1) shall identify,
11 to the extent possible, for sub. (1) (a), (b), (c), (d), (e), (f), (g), (h), (i), (L), (m), (p), (q),
12 (r), (s), and (u) the number of individuals who have each of the following forms of
13 health care coverage:

14 (a) Public health care coverage under the Medical Assistance program.

15 (b) Public health care coverage under Medicare, a veteran or military health
16 plan, or another public form of coverage other than Medical Assistance, including
17 any self-insured governmental health plan.

18 (c) Private insurance or a private health plan.

19 (d) Self-coverage or uninsured.

20 **(3)** (a) The department of administration shall submit the proposed request for
21 proposals described under sub. (1) to the joint committee on finance before issuing
22 the request for proposal. If the cochairpersons of the joint committee on finance do
23 not notify the department of administration within 14 working days after the date
24 of the submittal of the proposed request for proposals under this paragraph that the
25 committee has scheduled a meeting for the purpose of reviewing the proposed

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1 request for proposals, the department may issue the request for proposals. If, within
2 14 working days after the date of the submittal of the proposed request for proposals
3 under this paragraph, the cochairpersons of the committee notify the department of
4 administration that the committee has scheduled a meeting for the purpose of
5 reviewing the proposed request for proposals, the department may issue the
6 proposed request for proposals only upon approval by the committee.

7 (b) At the time the department of administration submits the proposal under
8 par. (a), the departments of health services, children and families, corrections,
9 justice, and safety and professional services may submit to the joint committee on
10 finance suggestions of opioid-related or methamphetamine-related information to
11 collect, analyze, and disseminate in addition to information specified under sub. (1)
12 to assist the agencies in analyzing the behavioral health status of the state's
13 population, reducing relapse of opioid and methamphetamine misuse, improving
14 patient outcomes after opioid or methamphetamine use or overdose, assisting
15 minors who are in out-of-home care, and monitoring health costs related to
16 substance use.

17 (4) The department of administration shall collaborate with and collect data
18 from the departments of health services, corrections, justice, safety and professional
19 services, and children and families and any other applicable agencies for the opioid
20 and methamphetamine data system under sub. (1).

21 (5) (a) The department of administration shall administer the contract with the
22 vendor to operate the opioid and methamphetamine data system and shall have
23 access to the data contained in the opioid and methamphetamine data system. The
24 department of administration shall work with the vendor to disseminate information

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1 and advanced analytics from the opioid and methamphetamine data system in as
2 close to real time as possible.

3 (b) The opioid and methamphetamine data system shall allow the state
4 agencies that submit data to the opioid and methamphetamine data system access
5 to the data in the opioid and methamphetamine data system as appropriate for the
6 agency to fulfill its functions and as allowed by state and federal confidentiality laws.

7 **153.89 Reports; opioid and methamphetamine data system.** By January
8 31, 2022, and annually thereafter, the department of administration shall submit a
9 report to the joint committee on finance summarizing the information from the
10 opioid and methamphetamine data system under s. 153.87 (1) and analyzing trends
11 in that information across years of data collection.

SECTION 2. Fiscal changes.

12 (1) OPIOID AND METHAMPHETAMINE DATA. In the schedule under s. 20.005 (3) for
13 the appropriation to the department of administration under s. 20.505 (1) (a), the
14 dollar amount for fiscal year 2020-21 is increased by \$1,500,000 as one-time funding
15 to implement the opioid and methamphetamine data system under subch. III of ch.
16 153. Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42 for
17 the 2021-23 biennial budget bill, the department of administration shall submit
18 information concerning the appropriation under s. 20.505 (1) (a) as though the
19 increase in the dollar amount of that appropriation under this subsection had not
20 occurred.
21

22 (END)