

**Report From Agency**

**STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD**

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
CONTROLLED SUBSTANCES BOARD : CR 17-040**

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**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 Milwaukee Medical Examiner's office provided the Controlled Substances Board with information related to 12 deaths with acryl fentanyl in their system within a three week timeframe. Acryl fentanyl is an analog of the Schedule II controlled substance. Acryl fentanyl is more potent than morphine and heroin.

The Controlled Substances Board considered the following factors in making the finding of an imminent hazard to the public safety: the history and current pattern of abuse; the scope, duration and significance of abuse; and the risk to the public health.

The rule will schedule acryl fentanyl as a Schedule I controlled substance.

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

The Controlled Substances Board held a public hearing on July 14, 2017. No one testified at the hearing, or submitted written comments.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

Clearinghouse Report did not have any recommendations.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

None