**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 20-080**

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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:

Gabapentin is a prescription medication approved by the Federal Food and Drug Administration for the treatment of neuropathic pain and epileptic disorders. In recent years however, gabapentin has been increasingly encountered by law enforcement, documented in national crime lab reports, reported to poison control centers, and diverted for illicit use. The Researched Abuse, Diversion and Addivtive – Related Surveillance (RADARS) indicates an increase in gabapentin diversion. The Drug Abuse Warning Network (DAWN) indicates a rise of emergency department visit rates for gabapentin.

The Controlled Substance Board and the Prescription Drug Monitoring Program (PDMP) staff has received requests by health care practitioners and law enforcement to have gabapentin included in the PDMP. Prescribers have indicated it is beneficial to be aware of a patient having a prescription for Gabapentin prior to prescribing an opioid because when combined with opioids there is an increase risk of respiratory depression and opioid-related mortality increases significantly. Gabapentin is highly sought after for illicit use due to its potentiating opioids affect.

This rule designates Gabapentin as a drug having substantial potential for abuse. This designation would make Gabapentin a monitored drug in the PDMP.

## 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 January 15, 2021. No comments were received.

## VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

## VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A