

2

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-1821/1 ZDW:klm

2021 ASSEMBLY BILL 317

May 7, 2021 - Introduced by Representatives ZIMMERMAN, HORLACHER, JAMES, KRUG, STEFFEN and WICHGERS, cosponsored by Senator Darling. Referred to Committee on Substance Abuse and Prevention.

AN ACT relating to: modifying administrative rules relating to driver safety

plans and medication-assisted treatments.

Analysis by the Legislative Reference Bureau

This bill modifies rules relating to driver safety plans to require an evaluation of medication-assisted treatment as an option for some drivers.

Under current law, courts must order a person convicted of operating a motor vehicle while intoxicated to submit to an assessment of the person's use of alcohol or controlled substances or their analogs. The assessment facility must develop a driver safety plan for the person, which may include substance abuse treatment. If a person fails to comply with the requirements of his or her driver safety plan, the Department of Transportation must revoke his or her operating privilege.

The Department of Health Services establishes standards for assessment procedures and driver safety plans by administrative rule. Current DHS rules provide that, if an assessment makes a finding of dependency, suspected dependency, or dependency in remission for a person, the driver safety plan for that person must recommend substance abuse treatment. The bill provides that, if substance abuse treatment is recommended for a person, the treatment must include an evaluation for the appropriateness of medication–assisted treatment for the person.

For further information see the state and local 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:

ASSEMBLY BILL 317

SECTION 1.	DHS	62.07	(5)	(b) 2.,	3.,	and	4.	of the	administrative	code	are
amended to read:											

DHS 62.07 (5) (b) 2. 'Finding of suspected dependency.' If the assessment finding for a client is suspected alcohol, controlled substance, controlled substance analog, or other drug dependency, the driver safety plan shall recommend substance abuse treatment, including an evaluation of the appropriateness of medication-assisted treatment, that does not include residential or inpatient services under s. DHS 75.10, 75.11, or 75.14.

DHS 62.07 (5) (b) 3. 'Finding of dependency.' If the assessment finding for a client is alcohol, controlled substance, controlled substance analog, or other drug dependency, the driver safety plan shall recommend substance abuse treatment, including an evaluation of the appropriateness of medication-assisted treatment, under ss. DHS 75.10 to 75.15. If residential or inpatient services are recommended, the residential or inpatient services may not exceed 30 days.

DHS 62.07 (5) (b) 4. 'Finding of dependency in remission.' If the assessment finding for a client is suspected alcohol, controlled substance, controlled substance analog, or other drug dependency in remission, the driver safety plan shall recommend substance abuse treatment, including an evaluation of the appropriateness of medication-assisted treatment.

20 (END)