

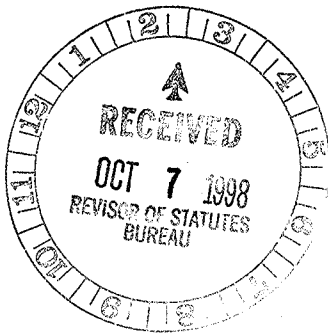
CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Controlled Substances Board, do hereby certify that the annexed rules were duly approved and adopted by the Controlled Substances Board on the 7th day of October, 1998.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 7th day of October, 1998.

Patrick D. Braatz, Director, Bureau of Health Professions, Department of Regulation and Licensing

98-054

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : CONTROLLED SUBSTANCES BOARD
CONTROLLED SUBSTANCES BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 98-054)

ORDER

An order of the Controlled Substances Board to create CSB 2.24, relating to adding butorphanol to the classification of controlled substances in schedule IV of chapter 961, Stats., the Uniform Controlled Substances Act.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 961.11 (1) and (2) and 961.19, Stats.

Statutes interpreted: s. 961.20, Stats.

This proposed order of the Controlled Substances Board classifies the prescription drug, butorphanol, as a schedule IV controlled substance in the state of Wisconsin. Effective October 1, 1997, the federal Drug Enforcement Administration (DEA) placed butorphanol, including its salts and isomers, into schedule IV of the federal Controlled Substances Act (CSA). The purpose of this rule is to bring the treatment of butorphanol in this state into conformity with that given under federal law.

Butorphanol is classified as an opioid agonist-antagonist analgesic that is marketed as a prescription drug for the relief of moderate to severe pain in humans. It is also marketed as a veterinary product for use in horses and dogs. Based on scientific and medical evaluation, as well as consideration of the federal counter-parts to the factors listed in s. 961.11 (1m), Stats., the DEA determined that butorphanol, whether administered orally, intravenously, or intranasally, had an abuse potential consistent with federal control within schedule IV of the CSA. Reports of abuse and diversion previously had led Canada and seven U.S. states to classify butorphanol as a controlled substance. Classifying butorphanol as a schedule IV controlled substance under the Uniform Controlled Substances Act, Chapter 961, Stats., will bring this state's treatment of butorphanol into conformity with that accorded at the federal level.

TEXT OF RULE

SECTION 1. CSB 2.24 is created to read:

CSB 2.24 ADDITION OF BUTORPHANOL TO SCHEDULE IV. Paragraph (c) of s. 961.20 (4), is created to read:

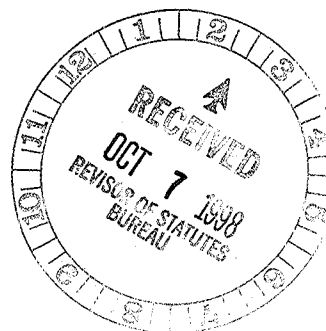
(c) Butorphanol, including any of its isomers and salts of isomers.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 2 Oct 1998 Agency David Monarshko
Chairperson
Controlled Substances Board

g:\rules\csb2.doc
9/15/98





State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING

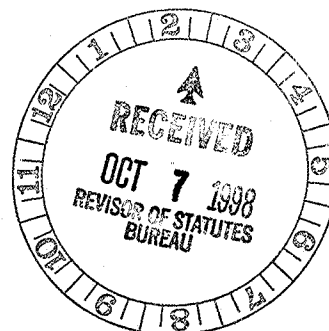
CORRESPONDENCE/MEMORANDUM

DATE: October 7, 1998

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Administrative Rules Coordinator
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: CONTROLLED SUBSTANCES BOARD

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.