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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**Contact:** Michael Queensland, Senior Staff Attorney  
Steve McCarthy, Staff Attorney

**2019 Senate Bill 594**

**Senate Amendment 1**

### 2019 SENATE BILL 594

Senate Bill 594 relates to administering an opioid antagonist in jails and studying the availability of medication-assisted treatment (MAT) in prisons and jails.

#### Administering an Opioid Antagonist in Jails

**Current law** allows law enforcement agencies and fire departments to enter into an agreement to affiliate with an ambulance service provider or a physician to do the following:

- Obtain a supply of an opioid antagonist.
- Allow law enforcement officers and firefighters to receive training necessary to safely and properly administer an opioid antagonist to individuals who are undergoing or who are believed to be undergoing an opioid-related drug overdose.

Current law also provides immunity under certain conditions for a law enforcement officer or firefighter administering an opioid antagonist.

**The bill** allows county jails to enter into these agreements that are available to law enforcement agencies and fire departments under current law and extends the same immunity for administering an opioid antagonist to jailers.

#### Study and Proposal for the Availability of MAT in Jails and Prisons

**The bill** requires the Department of Health Services (DHS) to study the availability of MAT for opioid use disorder in each prison and county jail. The study must identify all of the following for each prison and county jail:

- The availability of behavioral health counseling on the premises as measured by the number of substance abuse counselors available for the number of persons in custody.
- The facilities available for inpatient detoxification, including the number of rooms available.
- Each medication and forms of each medication approved by the Food and Drug Administration (FDA) that are used for treating opioid use disorder for persons in custody and the number of persons in each prison and county jail who receive each medication each month.

The bill requires DHS to use the results of the study to develop a proposal to implement, or identify county officials to implement, a pilot project. The proposed pilot project must make available in at least one prison or county jail all medications for MAT for opioid use disorder that are approved by the FDA. Within one year of the bill's effective date, the bill requires DHS to submit a report to the Joint Committee on Finance that includes the findings of the study, its pilot project proposal, and any requests for proposed statutory changes or funding necessary to implement the proposed pilot project.

## **SENATE AMENDMENT 1**

**Senate Amendment 1** makes the following changes to the provisions in the bill relating to the study and proposal for the availability of MAT in jails and prisons:

- Requires that the study on MAT in prisons and jails include a study of medications that are not only used for treating opioid use disorder, but also medications used for treating withdrawal and detoxification.
- Requires DHS to study all of the following:
  - The availability of MAT for women who are pregnant or postpartum.
  - The availability of assessment for opioid use disorder for women upon entry to prison or jail.
  - The availability of treatment for opioid use disorder for women in prison or jail.
- Requires DHS to include in its proposal for a pilot project any strategies for improving assessment and treatment for opioid use disorder of pregnant and postpartum women who are in any prison or county jail selected for the pilot project.

## **BILL HISTORY**

Senator Darling introduced Senate Amendment 1 on January 14, 2020. The Senate Committee on Health and Human Services voted on January 23, 2020, to recommend adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

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