

State of Wisconsin



2015 Assembly Bill 659

Date of enactment: **March 17, 2016**

Date of publication*: **March 18, 2016**

2015 WISCONSIN ACT 263

AN ACT *to create* 51.4223 of the statutes; **relating to:** opioid treatment programs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 51.4223 of the statutes is created to read:

51.4223 Opioid treatment. (1) **DEFINITIONS.** In this section:

(a) "Narcotic treatment service for opiate addiction" is an opioid treatment system that includes a physician who administers or dispenses a narcotic drug to a narcotic addict for treatment or detoxification treatment with a comprehensive range of medical and rehabilitation services; that is approved by the state methadone authority and the designated federal government's regulatory authority; and that is registered with the U.S. drug enforcement administration to use a narcotic drug for treatment of a narcotic addiction.

(b) "Opioid treatment system" means a structured delivery system for providing substance abuse prevention, intervention, or treatment services and meets all of the following criteria:

1. The system receives funds through the state under this chapter.

2. The system is approved by the state methadone authority.

(c) "State methadone authority" means the subunit of the department designated by the governor to exercise the responsibility and authority in this state for governing the treatment of a narcotic addiction with a narcotic drug.

(2) **DURATION OF CERTIFICATION.** The department shall issue a certification for an eligible opioid treatment system, as determined by the department, that remains in effect for 3 years unless suspended or revoked and coincides with the federal government certification period.

(3) **COUNSELING SERVICES.** The department shall allow a narcotic treatment service for opiate addiction to contract for substance abuse counselors and clinical substance abuse counselors in lieu of employing substance abuse counselors or clinical substance abuse counselors. The narcotic treatment service for opiate addiction may enter into a contract agreement with an agency to provide counseling services. A narcotic treatment service for opiate addiction that enters into a contract agreement for counseling service shall submit to the department a copy of the agreement with each application and reapplication.

(4) **LENGTH OF TREATMENT.** The department may not limit the length of treatment an individual receives from a narcotic treatment service for opiate addiction. Nothing in this subsection affects whether treatment is reimbursable under the Medical Assistance program under subch. IV of ch. 49.

(5) **GEOGRAPHIC PROXIMITY.** The department may not require an individual who seeks admission to a narcotic treatment service for opiate addiction to reside within a certain radius of the narcotic treatment service for opiate addiction. The department may not require an individual who resides outside of a certain radius of a narcotic treat-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

ment service for opiate addiction to request an exception to receive treatment from the narcotic treatment service for opiate addiction. Nothing in this subsection affects whether treatment is reimbursable under the Medical Assistance program under subch. IV of ch. 49.

SECTION 2. Nonstatutory provisions.

(1) CERTIFICATION DURATION. The department of health services shall collect information from certified opioid treatment systems, as defined in section 51.4223

of the statutes, to determine the next federal government certification date for each opioid treatment system. The department of health services shall set as the next state recertification date for an opioid treatment system the date of the next federal government certification date. The department of health services shall extend a 2-year state certification for an opioid treatment system to comply with this subsection, as necessary.
