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Tony Evers, Governor
Dawn B. Crim, Secretary

December 17, 2019

Representative Joe Sanfelippo, Chair
Assembly Committee on Health
Wisconsin State Capitol
Room 314 North
PO Box 8953
Madison, WI 53708

RE: Opioid Abuse Reports

Dear Representative Sanfelippo:

The enclosed annual reports are being submitted on behalf of the Wisconsin Board of Nursing, Wisconsin Dentistry Examining Board, Wisconsin Medical Examining Board, Wisconsin Optometry Examining Board, and the Wisconsin Podiatry Affiliated Credentialing Board, pursuant to Wisconsin Statute s. 440.035(2m)(c)1.

Any questions regarding the reports should be directed to the respective board as follows:

Wisconsin Board of Nursing
Wisconsin Dentistry Examining Board
c/o Debra Sybell, Executive Director
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Wisconsin Medical Examining Board
Wisconsin Optometry Examining Board
Wisconsin Podiatry Affiliated Credentialing Board
c/o Valerie A. Payne, Executive Director
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Sincerely,

Dawn B. Crim
Secretary-designee

Peter Kallio
Chairperson

Pamela White
Vice Chairperson

Luann Skarlupka
Secretary

WISCONSIN BOARD OF NURSING



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REPORT ON OPIOID ABUSE

Proactive Efforts Taken by the Board of Nursing to Address Opioid Abuse

- 1. Controlled Substances Prescribing Guidelines** – The Board of Nursing adopted Best Practices for Prescribing Controlled Substances Guidelines (Guidelines) on January 12, 2017. The Guidelines were developed using the following:
 - Centers for Disease Control’s *Guideline for Prescribing Opioids for Chronic Pain*.
 - American Association of Nurse Anesthetists’ *Chronic Pain Management Guidelines*.
 - American Nurses Association’s *Nursing’s Role in Addressing Nation’s Opioid Crisis*.
 - Federal Drug Administration’s *Blueprint for Prescriber Education for Extended-Release and Long-Acting Opioid Analgesics*.
 - Wisconsin Medical Examining Board’s *Opioid Prescribing Guideline*.
 - Michigan’s *Guidelines for the Use of Controlled Substances for the Treatment of Pain*.
 - The Joint Commission’s *Statement on Pain Management*.
 - National Transportation Safety Board recommendations for advising patients of the effect controlled substances may have on their ability to safely operate a vehicle.The Board of Nursing published the Guidelines in their newsletter and provided a copy of the Guidelines to every advanced practice nurse prescriber with an active license and an email on file with the Department of Safety and Professional Services. The Guidelines are available at <https://dsps.wi.gov/Documents/BoardCouncils/NUR/BONGuidelinesV1.pdf>.
- 2. Controlled Substances Continuing Education** – The Board of Nursing requires each advanced practice nurse prescriber to complete 2 hours of the required 16 hours of continuing education in the topic of responsible prescribing of controlled substances.
- 3. Prescription Drug Monitoring Program (PDMP) Information in Newsletter** – The Board of Nursing has highlighted information regarding the Prescription Drug Monitoring Program in their newsletter.
- 4. PDMP Prescribing Metrics for Prescribing Practice Complaints** – The Board of Nursing Screening Panel reviews the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advanced practice nurse prescriber’s prescribing practices.

Goals for Addressing the Issue of Opioid Abuse as it Relates to the Practice of Nursing

- 1. Compliance with the PDMP Provider Review Requirement** – The Board of Nursing ideally wants 100% compliance with the PDMP provider review requirement. However, due to inherent limitations in PDMP data this is not a measurable goal. The Board of Nursing will continue its effort to increase compliance by raising awareness of the PDMP provider review requirement.

2. **Education** – The Board of Nursing recognizes the importance of continuing to provide education in the areas of safe opioid prescribing and opioid abuse. Therefore, the Board of Nursing will explore opportunities to expand on its educational outreach.
3. **PDMP Outreach** – The Board of Nursing recognizes that nurses are continually entering the workforce and recognizes the Department of Safety and Professional Services’ ongoing efforts to enhance the features of the PDMP. Therefore, the Board of Nursing will continue to work with PDMP staff to provide information concerning the PDMP to its licensees.
4. **PDMP Prescribing Outliers** – The Board of Nursing will continue to review referrals of advanced practice nurse prescribers from the Controlled Substances Board to identify those advanced practice nurse prescribers whose prescribing practices are outliers. In addition, the Board of Nursing Screening Panel will continue to review the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advanced practice nurse prescriber’s prescribing practices.

Actions Taken by the Board of Nursing to Achieve the Goals Identified in Previous Reports

1. **Compliance with Provider Review Requirement** – The Board of Nursing’s goal was 100% compliance with the provider review requirement. In following up with PDMP staff on strategies for achieving this goal, it was discovered that due to inherent limitations in PDMP data this goal is not measurable. With this information, the Board of Nursing revisited and revised their goal. The revised goal is reported in the previous section of this Report.
2. **Education Regarding Safe Opioid Prescribing for Certified Registered Nurse Anesthetists** – The Board of Nursing’s goal was to provide further education to certified registered nurse anesthetists in the area of safe opioid prescribing, including partnering with other organizations, and promote safe opioid prescribing for certified registered nurse anesthetists. Peter Kallio, Chairperson of the Board of Nursing, and PDMP staff presented information concerning opioid prescribing at an education meeting conference of the Wisconsin Association of Nurse Anesthetists.
3. **Education Regarding Discharge and Pain Management** – The Board of Nursing’s goal was to provide education to nurses, including partnering with other organizations, on the best practices for discharge as it relates to pain management. In its next newsletter, the Board of Nursing will be publishing an article specific to this topic.
4. **PDMP Outreach** – The Board of Nursing’s goal was to work with PDMP staff to provide and promote PDMP outreach opportunities. In its Fall 2018 and Winter 2019 Newsletters, the Board of Nursing provided updates on the PDMP. This included new prescriber features of the PDMP and the PDMP’s working relationship with the Controlled Substances Board.
5. **PDMP prescribing outliers** – The Board of Nursing’s goal was to utilize PDMP data to identify those advanced practice nurse prescribers whose prescribing practices are outliers and develop a process for follow-up with identified advanced practice nurse prescribers. The Board of Nursing utilized PDMP data and referrals from the Controlled Substances Board to identify several advanced practice nurse prescribers whose prescribing practices are outliers, and developed a process for its screening panel to review the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advanced practice nurse prescriber’s prescribing practices.

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Wendy Pietz
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Secretary

DENTISTRY EXAMINING BOARD



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REPORT ON OPIOID ABUSE

Proactive Efforts Taken by the Dentistry Examining Board to Address Opioid Abuse

- 1. Controlled Substances Prescribing Guidelines** – The Dentistry Examining Board adopted Best Practices for Prescribing Controlled Substances Guidelines (Guidelines) on April 12, 2017. The Guidelines were developed using the following:
 - Centers for Disease Control’s *Guideline for Prescribing Opioids for Chronic Pain*.
 - Colorado Department of Regulatory Agencies’ *Policy for Prescribing and Dispensing Opioids*.
 - Carr, Gouda’s article *Acute Pain* published in *Lancet*.
 - Continuing Education by Figueroa and Alford, *Safe Opioid Prescribing for Acute Dental Pain*.
 - Wisconsin Medical Examining Board’s *Opioid Prescribing Guideline*.
 - National Transportation Safety Board recommendations for advising patients of the effect controlled substances may have on their ability to safely operate a vehicle.The Dentistry Examining Board provided a copy of the Guidelines to every dentist with an active license and an email on file with the Department of Safety and Professional Services. A copy of the Guidelines is available at <https://dsps.wi.gov/Documents/BoardCouncils/DEN/DENGuidelinesApril2017.pdf>.
- 2. Controlled Substances Continuing Education** - The Dentistry Examining Board requires each dentist to complete 2 hours of continuing education in the topic of responsible prescribing of controlled substances for the treatment of acute dental pain each biennium in order to renew the license. This continuing education requirement applies to the bienniums ending in 2019 and 2021.

Goals for Addressing the Issue of Opioid Abuse as it Relates to the Practice of Dentistry

- 1. Increase the Number of Dentists Registered with the Prescription Drug Monitoring Program (PDMP)** – Currently 54% of licensed dentists are registered with the PDMP. The Dentistry Examining Board recognizes one of the best ways to increase the utilization of the PDMP is for a dentist to be registered with the PDMP. Therefore, the Dentistry Examining Board will continue to strive to increase the percentage of licensed dentists registered with the PDMP to 65%.
- 2. Education Regarding the Opioid Prescribing** – The Dentistry Examining Board recognizes the value in educating dentists about the Dentistry Examining Board’s Best Practices for Prescribing Controlled Substances Guidelines and PDMP. Therefore, the Dentistry Examining Board will expand on its educational outreach on the topics of prescribing controlled substances and utilizing the PDMP.

Action Taken on 2018 Report Goals the Issue of Opioid Abuse as it Relates to the Practice of Dentistry

1. **Increase the Number of Dentists Registered with the Prescription Drug Monitoring Program (PDMP)** – The Dentistry Examining Board’s Goal was to increase the number of licensed dentists registered with the PDMP from 49% to 60%. Currently 54% of licensed dentists are registered with the PDMP. The Dentistry Examining Board is continuing efforts on this goal and in setting this year’s goal increased the percentage by 5%.
2. **Compliance with Provider Review Requirement** – The Dentistry Examining Board’s Goal was 100% compliance with the provider review requirement. In following up with PDMP staff on strategies for achieving this goal, it was discovered that due to inherent limitations in PDMP data this goal is not measurable. The Dentistry Examining Board’s standard is 100% compliance with provider review requirement and will continue efforts to increase compliance by raising awareness of the PDMP provider review requirement.
3. **Education Regarding the Utilization of PDMP** – The Dentistry Examining Board Goal was to work with PDMP staff to provide and promote education regarding the utilization of PDMP. PDMP staff provided outreach education at a Greater Milwaukee Dental Association event.

Kenneth Simons
Chairperson

WISCONSIN MEDICAL EXAMINING BOARD

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Timothy Westlake
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Mary Jo Capodice
Secretary

Wisconsin Medical Examining Board Report on Opioid Abuse – October 2019

Scope and purpose of the report: 2017 Wisconsin Act 262 requires the Medical Examining Board to annually submit a report related to opioid abuse to the Legislature and Governor's Office. The report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of medicine and surgery in Wisconsin. The report must also include actions taken by the Board to achieve the goals identified in previous reports, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse:

- **Statewide Outreach**

As vice chair of the Medical Examining Board and a member of the Controlled Substances Board, Dr. Timothy Westlake has worked with the Governor's Office, the Legislature, the Wisconsin Medical Society, the state's two medical schools, and hospital and clinic systems to ensure the Board is an effective partner in statewide efforts to enhance the physician workforce's knowledge concerning the appropriate use and best prescriptive practices with opioids. These efforts have included determining how to combat the inappropriate prescribing of opioids through use of the Prescription Drug Monitoring Program, as well as through enhancements to electronic health records.

- **National Outreach and Leadership**

Doctor Kenneth Simons, Chair of the Medical Examining Board, serves on the Board of Directors for the Federation of State Medical Boards (FSMB). During his term, the FSMB has undertaken several initiatives related to opioid abuse, including participation in the Action Collaborative on Countering the U.S. Opioid Epidemic.

- **Opioid Prescribing Guideline**

In July 2016, the Board issued its Opioid Prescribing Guideline. The Guideline, which encourages providers to implement best practices for responsible prescribing, was developed using the Centers for Disease Control and Prevention's Guideline for Prescribing Opioids for Chronic Pain and the Wisconsin Department of Workforce Development's Chronic Opioid Clinical Management Guidelines for Wisconsin Worker's Compensation Patient Care as primary resources. The Board has continually monitored and periodically updated the Guideline, most recently in January of 2019.

- **Continuing Education Related to Prescribing Controlled Substances**

The Board revised its administrative rules to extend the requirement for both MD and DO physicians to take two of the required 30 hours of continuing medical education via an approved course on prescribing controlled substances. Physicians who do not hold a U.S. Drug Enforcement Administration number to prescribe controlled substances are exempted from the requirement. The requirement will sunset with the renewal on November 1, 2021.

Goals for addressing the issue of opioid abuse as it relates to the practice of medicine and surgery in Wisconsin:

- **Continuing Education Related to Prescribing Controlled Substances**

As the current requirement for continuing medical education related to prescribing controlled substances will expire after the 2019-2021 biennium, the Board will assess the need to extend the requirement for an additional biennium.

- **Enforcement Action**

The Board's goal is to, in partnership with the Controlled Substances Board, continue to proactively investigate physicians whose prescriptive practices with controlled substances may be inconsistent with the standard of minimally competent medical practice.

- **Opioid Prescribing Guideline**

The Board will continue to monitor the Guideline and make updates as needed to keep it current and relevant to physicians and their patients.

- **Continued Outreach and Leadership**

It is the Board's goal to continue its active participation in the statewide and national efforts to combat opioid abuse.

Actions taken by the Board to achieve the goals identified in previous reports:

- **Continuing Education Related to Prescribing Controlled Substances**

The Board's goal was to have rules in place at the beginning of the 2019-2021 biennium that would extend the requirement for the completion of continuing medical education related to prescribing controlled substances. These rules were finalized with an effective date of August 1, 2019.

- **Enforcement Action**

The Board's goal was to, in partnership with the Controlled Substances Board (CSB), proactively investigate physicians whose prescriptive practices with controlled substances may be inconsistent with the standard of minimally competent medical practice.

The Board received a summary of CSB data specific to physicians, from which it opened investigations for the prescribers who fell in the top .04 percentile of opioid dispensing volume for all physician prescribers.

- **Opioid Prescribing Guideline**

The Board's goal was to monitor its Opioid Prescribing Guideline and make updates as needed to keep it current and relevant to physicians and their patients.

In January 2019, the Board reviewed and adopted updates to the Guideline. The updates added a provision indicating it is best practice for a practitioner to consider guidelines within their specialty when prescribing opioids. The updates also revised the guidelines concerning discontinuing opioid therapy to better reflect current prescribing practices.

- **Continued Outreach and Leadership**

It was the Board's goal to continue its active participation in the statewide and national efforts to combat opioid abuse.

As vice chair of the Medical Examining Board and a member of the Controlled Substances Board, Dr. Timothy Westlake has continued to work with the Governor's Office, the Legislature, the Wisconsin Medical Society, the state's two medical schools, and hospital and clinic systems to ensure the Board is an effective partner in statewide efforts to enhance the physician workforce's knowledge concerning the appropriate use and best prescriptive practices with opioids. These efforts have included determining how to combat the inappropriate prescribing of opioids through use of the Prescription Drug Monitoring Program, as well as through enhancements to electronic health records.

Doctor Kenneth Simons, Chair of the Medical Examining Board, continues to serve on the Board of Directors for the Federation of State Medical Boards (FSMB). The FSMB remains dedicated to initiatives related to opioid abuse, including participation in the Action Collaborative on Countering the U.S. Opioid Epidemic.

Ann Meier Carli
Chairperson

Robert Schulz
Vice Chairperson

Mark Jenkins
Secretary

**WISCONSIN OPTOMETRY EXAMINING
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Wisconsin Optometry Examining Board Report on Opioid Abuse – October 2019

Scope and purpose of the report: Section 440.035 (2m) (c) 1., Stats., requires the Optometry Examining Board to annually submit a report related to the issue of opioid abuse to the Legislature and Governor's Office. This report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of optometry in Wisconsin. The report for 2019 also includes actions taken by the Board to achieve the goals identified in the 2018 report, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse:

Controlled Substances Prescribing Guidelines

The Optometry Examining Board maintains the Best Practices for Prescribing Controlled Substances Guidelines to keep it up to date with current trends and changes. The Best Practices for Prescribing Controlled Substances Guidelines are available on the Board's page at dsps.wi.gov.

Education on National Trends

The Board annually sends at least one member to the Association of Regulatory Boards of Optometry, Inc. Annual Meeting to interact with regulatory colleagues and discuss the hot topics and shared concerns in the regulatory community. The Board reviews and discusses the report regarding these national issues and trends being faced by Optometry examining boards across the jurisdictions.

Continuing Education Related to Prescribing Controlled Substances

For the 2019/2021 biennium, the Board requires licensees to complete 2 hours of continuing education relating to prescribing controlled substances.

2019 Goals for addressing the issue of opioid abuse as it relates to the practice of optometry in Wisconsin:

Tracking Trends

The Optometry Examining Board has scheduled a standing item for the annual May board agenda to receive updates from the Prescription Drug Monitoring Program (PDMP), which will aid the board in tracking and reviewing trends in prescribing by licensed optometrists.

Communications to Licensees Registered with the PDMP

The Board is working with PDMP staff to develop recommendations for licensees who have a DEA Registration Number, which is a small subset of licensees, to encourage them to use the PDMP effectively as part of their prescribing practice.

Updates on 2018 Goals for addressing the issue of opioid abuse as it relates to the practice of optometry in Wisconsin:

Enforcement Actions

The Controlled Substances Board has made no referrals to the Optometry Examining Board based upon reports generated from the PDMP.

Communications to Licensees

The Board disseminated updates to licensees relating to the new continuing education requirements on prescribing controlled substances and a reminder to review the Best Practices for Prescribing Controlled Substances Guidelines.

Education on the issue of opioid abuse

The Board met with PDMP staff and received information regarding prescribing trends recorded in the PDMP data, and also how the PDMP can be used as a proactive tool to evaluate practices, at the May 30, 2019 and July 18, 2019 meetings. At the May 30, 2019 meeting, the Board also recommended that the Department of Safety and Professional Services move forward with the revision of SPS 10, relating to the use of pharmaceutical agents by licensed optometrists.

**WISCONSIN PODIATRY AFFILIATED
CREDENTIALING BOARD**

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Wisconsin Podiatry Affiliated Credentialing Board Report on Opioid Abuse – October 2019

Scope and purpose of the report: 2017 Wisconsin Act 262 requires the Podiatry Affiliated Credentialing Board to annually submit a report related to opioid abuse to the Legislature and Governor's Office. The report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of podiatric medicine and surgery in Wisconsin. The report must also include actions taken by the Board to achieve the goals identified in previous reports, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse:

Opioid Prescribing Guideline

In October 2018, the Board reviewed and adopted the Wisconsin Medical Examining Board Opioid Prescribing Guideline. At its next meeting, the Board will review and consider adoption of the most recent updates to the Medical Examining Board Opioid Prescribing Guideline.

Continuing Education Related to Prescribing Controlled Substances

At its next meeting, the Board will be holding a public hearing on proposed rules that will establish requirements for the completion of continuing podiatric medical education related to prescribing controlled substances. The Board's goal is to have the rules in place for the 2020-2022 biennium.

Goals for addressing the issue of opioid abuse as it relates to the practice of podiatric medicine and surgery in Wisconsin:

Education on the Issue of Opioid Abuse

The Board will work as needed with Prescription Drug Monitoring Program (PDMP) staff to learn of any significant changes to the PDMP.

Enforcement Action

Currently, if an investigation of a podiatrist's prescriptive practices occurs, it is done in response to a complaint filed against the podiatrist. The Board's goal is to, in partnership with the Controlled Substances Board, proactively investigate podiatrists whose prescriptive practices with controlled substances may deviate from the course of legitimate professional practice or constitute a danger to the health, welfare, or safety of patients or the public. The Controlled Substances Board will use reports generated from the Prescription Drug Monitoring Program to refer podiatrists to the Board for possible investigation.

Opioid Prescribing Guideline

The Board will continue to review and, as appropriate, adopt updates to the Wisconsin Medical Examining Board Opioid Prescribing Guideline.

Actions taken by the Board to achieve the goals identified in previous reports:

Education on the Issue of Opioid Abuse

The Board's goal was to work with Prescription Drug Monitoring Program (PDMP) staff to learn what data is available from the PDMP and how extensively the PDMP database is used by licensees. At the Board's next meeting, PDMP staff will present this information to the Board.

Enforcement Action

The Board's goal was to, in partnership with the Controlled Substances Board (CSB), begin proactively investigating podiatrists whose prescriptive practices with controlled substances may deviate from the course of legitimate professional practice or constitute a danger to the health, welfare, or safety of patients or the public.

The CSB uses reports generated from the Prescription Drug Monitoring Program to determine whether podiatrists will be referred to the Board for possible investigation. The Board has not received any referrals from the CSB.

Opioid Prescribing Guideline

The Board's goal was to continue to review and, as appropriate, adopt updates to the Wisconsin Medical Examining Board Opioid Prescribing Guideline.

At its next meeting, the Board will review and consider adoption of the most recent updates to the Medical Examining Board Opioid Prescribing Guideline.