

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-3348/2	Introduction Number AB-0448
Description Programs for the disposal of drugs, including controlled substances, and certain medical or drug-related items, and the regulation of prescription drugs	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
DOJ/ Mark Rinehart (608) 264-9463	Mark Rinehart (608) 264-9463
Date	
1/9/2014	

Fiscal Estimate Narratives

DOJ 1/9/2014

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Description Programs for the disposal of drugs, including controlled substances, and certain medical or drug-related items, and the regulation of prescription drugs					

Assumptions Used in Arriving at Fiscal Estimate

Generally, 2013 Assembly Bill 448 prohibits the operation of a drug disposal program unless the program has been authorized under federal law, authorized by a political subdivision of the state or group of political subdivisions of the state, or authorized by the Wisconsin Department of Justice.

A political subdivision or group of political subdivisions may authorize a drug disposal program if the program adopts written policies and procedures that: 1) describe in detail the manner in which the program operates; 2) list the 24-hour contact information for those responsible for operating the program; and 3) ensure compliance with ss. 450, 961, 287, 289, 291, 299, and any other state or federal law. Prior to adoption, the policies and procedures shall be reviewed by legal counsel for the political subdivision to determine whether they violate any applicable state or federal law. If legal counsel is not an employee of the political subdivision, the political subdivision may have DOJ perform the review.

A drug disposal program authorized by a political subdivision or group of political subdivisions is limited to operating only within the boundaries of the subdivision(s) and to receiving a pharmaceutical item only by means of delivery in person by a person who lawfully possesses the item.

DOJ may authorize a drug disposal program if a program adopts written policies and procedures that: 1) describe in detail the manner in which the program operates; 2) list the 24-hour contact information for those responsible for operating the program; and 3) ensure compliance with ss. 450, 961, 287, 289, 291, 299, and any other state or federal law. DOJ shall review the policies and procedures to determine whether they violate any applicable state or federal law.

A drug disposal program authorized by DOJ is not limited to receiving a pharmaceutical item only by means of delivery in person by a person who lawfully possesses the item. However, the program must demonstrate to DOJ that any other means of delivery comply with state and federal law.

The Department of Justice is not aware of any data to accurately determine how many drug disposal programs it will be asked to review, authorize, and monitor. The provisions of AB 448 will require legal analysis and administrative support for each potential and each authorized program.

As amended the effective date of the bill is July 1, 2015. AB 448 would not have a fiscal impact on DOJ in the current biennium. A subsequent biennial budget submission is envisioned.

Long-Range Fiscal Implications

Continued program administration.