



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 388
[2015 Assembly Bill 657]

Treatment and Diversion Programs

BACKGROUND

Under Wisconsin law, the Department of Justice (DOJ) makes grants to counties to enable them to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs.

2015 WISCONSIN ACT 388

Act 388 creates an additional DOJ appropriation for the grant program. Under the Act, in fiscal year 2016-17, \$2,000,000 is transferred from a Department of Health Services (DHS) appropriation, relating to institutional operations and charges, to the new DOJ appropriation.

In addition, the Act creates additional eligibility requirements for counties to participate in the grant program. The county's program may not prohibit a person from beginning or continuing participation in the program because he or she uses a medication that is approved by the federal Food and Drug Administration (FDA) for the treatment of his or her substance use disorder. The county's program must allow a participant to use a medication that is approved by the FDA if all of the following are true:

- A licensed health care provider, acting in the scope of his or her practice, has examined the person and determined that the person's use of the medication is an appropriate treatment for the person's substance use disorder.
- The medication was appropriately prescribed by a person authorized to prescribe medication in the state.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- The person is using the medication as prescribed as part of treatment for a diagnosed substance use disorder.

Effective date: April 28, 2016

Prepared by: Jessica Karls-Ruplinger, Deputy Director

April 27, 2016

JKR:mcm;ty