
Wisconsin Legislative Council

ACT MEMO



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March 20, 2020

2019 Wisconsin Act 119
[2019 Assembly Bill 645]

Opioids

2019 Wisconsin Act 119 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 act 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 OF THE AVAILABILITY OF MAT IN JAILS AND PRISONS

The act 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, including treatments for withdrawal and detoxification, for persons in custody and the number of persons in each prison and county jail who receive each medication each month, and whether any of the persons in a prison or county jail who receive medication for treating opioid use disorder have been confirmed by medical personnel to be pregnant or postpartum.
- All of the following related to the assessment and treatment of opioid use disorder in women who are in prison or county jail:
 - 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.

The act 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 U.S. FDA. DHS must include in its proposal 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. Within approximately one year of the act's effective date, DHS must 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.

Effective date: March 5, 2020

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