2019 ASSEMBLY BILL 858

February 3, 2020 - Introduced by Representatives PLUMER, NYGREN, LOUDENBECK, SANFELIPPO, KOLSTE, BILLINGS, BORN, DITTRICH, HEBL, KATSMA, KRUG, KULP, MAGNAFICI, MURSAU, OHNSTAD, PETERSEN, RODRIGUEZ, SARGENT, SPIROS, SPREITZER, SUBECK and WICHERS, cosponsored by Senators LEMAHIEU, FITZGERALD, NASS, JOHNSON, BERNIER, DARLING, FEYEN, KOOYENGA, LARSON, OLSEN, PETROWSKI, TESTIN and WANGGAARD. Referred to Committee on Substance Abuse and Prevention.

1 **AN ACT** to create subchapter III of chapter 153 [precedes 153.85] of the statutes;

2 relating to: opioid and methamphetamine data system and making an

3 appropriation.

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**Analysis by the Legislative Reference Bureau**

This bill requires the Department of Administration to issue a request for proposals, subject to approval by the Joint Committee on Finance under its passive review process, to establish and maintain an opioid and methamphetamine data system to collect, format, analyze, and disseminate information on opioid and methamphetamine use as specified in the bill. DOA must collaborate with and collect data from the Department of Health Services, the Department of Corrections, the Department of Justice, the Department of Safety and Professional Services, and the Department of Children and Families and any other applicable agencies for the opioid and methamphetamine data system. Under the bill, DOA administers the contract with a vendor to operate the opioid and methamphetamine data system, has access to the data contained in the opioid and methamphetamine data system, and works with the vendor to disseminate information and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible. The opioid and methamphetamine data system must allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws. The bill requires DOA to submit a report to JCF summarizing the information from the opioid
and methamphetamine data system and analyzing trends in that information across years of data collection.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. Subchapter III of chapter 153 [precedes 153.85] of the statutes is created to read:

CHAPTER 153

SUBCHAPTER III

OPIOID AND

METHAMPHETAMINE DATA

153.85 Definition; opioid and methamphetamine data. In this subchapter, “vendor” means a person awarded the contract following a request for proposals described under s. 153.87.

153.87 Opioid and methamphetamine data system. (1) Subject to sub. (3), the department of administration shall issue a request for proposals to establish and maintain an opioid and methamphetamine data system to collect, format, analyze, and disseminate information on opioid and methamphetamine use, which shall include all of the following:

(a) Hospital discharge data from visits and stays related to opioid use or overdose.

(b) Hospital discharge data from visits and stays related to methamphetamine use or overdose.

(c) Records of hospitals diverting patients to other facilities to address opioid use or overdose.
(d) Records of hospitals diverting patients to other facilities to address methamphetamine use or overdose.

(e) Ambulance service run data related to opioid use or overdose.

(f) The number of opioid-related overdoses in the state, the number of individuals who overdose on opioids, and the opioids on which the individuals overdose.

(g) The number of methamphetamine-related overdoses in the state, the number of individuals who overdose on methamphetamines, and the forms of methamphetamines on which the individuals overdose.

(h) Death records related to opioid use or overdose.

(i) Death records related to methamphetamine use or overdose.

(j) The number of opioid treatment centers in the state, by the owner or operator of each opioid treatment center.

(k) The number of methamphetamine treatment centers in the state, by the owner or operator of each methamphetamine treatment center.

(L) The number of providers in this state that are allowed to prescribe a drug that is a combination of buprenorphine and naloxone, the patient capacity for those prescribers, the number of patients taking such a combination drug, and the number of patients who have discontinued such a combination drug due to successful completion of a treatment program.

(m) The number of methadone clinics in the state, the number of patients taking methadone, the number of patients who more than once have been on courses of methadone, the number of patients who have discontinued methadone use due to successful completion of a treatment program, and the number of patients who are receiving methadone treatment for each of the following durations:
1. Longer than 12 months.
2. Longer than 3 years.
3. Longer than 4 years.
4. Longer than 5 years.
5. Longer than 8 years.
6. Longer than 10 years.

(o) The amount of naloxone doses dispensed, the total number of naloxone doses administered, and the number of unique patients who have received doses of naloxone.

(p) The number of adults in the state who use opioids, the extent to which those adults use opioids, and the type of opioids used.

(q) The number of adults in the state who use methamphetamines, the extent to which those adults use methamphetamines, and the forms of methamphetamines used.

(r) The number of minors in the state who use opioids, the extent to which those minors use opioids, and the type of opioids used.

(s) The number of minors in the state who use methamphetamines, the extent to which those minors use methamphetamines, and the forms of methamphetamines used.

(t) The number of minors who enter the child protective services system due to opioid use by a parent or guardian, length of time those minors are in out-of-home care, and the type of reporter who notified child protective services of the needs of the minor.

(u) The number of persons who are incarcerated and who are receiving naltrexone for extended-release in injectable suspension, the number of persons...
who are on extended supervision or probation or on parole and who are receiving
extended-release naltrexone, the total number of doses of extended-release
naltrexone administered to persons who are incarcerated, on extended supervision
or probation, or on parole in this state, and the length of time that persons who are
incarcerated, on extended supervision or probation, or on parole are receiving
extended-release naltrexone.

(v) The number of arrests and convictions related to methadone and the
number related to a drug that is a combination of buprenorphine and naloxone.

(w) The number of arrests and convictions related to methamphetamines.

(2) The opioid and methamphetamine data system under sub. (1) shall identify,
to the extent possible, for sub. (1) (a), (b), (c), (d), (e), (f), (g), (h), (i), (L), (m), (p), (q),
(r), (s), and (u) the number of individuals who have each of the following forms of
health care coverage:

(a) Public health care coverage under the Medical Assistance program.

(b) Public health care coverage under Medicare, a veteran or military health
plan, or another public form of coverage other than Medical Assistance, including
any self-insured governmental health plan.

(c) Private insurance or a private health plan.

(d) Self-coverage or uninsured.

(3) (a) The department of administration shall submit the proposed request for
proposals described under sub. (1) to the joint committee on finance before issuing
the request for proposal. If the cochairpersons of the joint committee on finance do
not notify the department of administration within 14 working days after the date
of the submittal of the proposed request for proposals under this paragraph that the
committee has scheduled a meeting for the purpose of reviewing the proposed
request for proposals, the department may issue the request for proposals. If, within 14 working days after the date of the submittal of the proposed request for proposals under this paragraph, the cochairpersons of the committee notify the department of administration that the committee has scheduled a meeting for the purpose of reviewing the proposed request for proposals, the department may issue the proposed request for proposals only upon approval by the committee.

(b) At the time the department of administration submits the proposal under par. (a), the departments of health services, children and families, corrections, justice, and safety and professional services may submit to the joint committee on finance suggestions of opioid-related or methamphetamine-related information to collect, analyze, and disseminate in addition to information specified under sub. (1) to assist the agencies in analyzing the behavioral health status of the state’s population, reducing relapse of opioid and methamphetamine misuse, improving patient outcomes after opioid or methamphetamine use or overdose, assisting minors who are in out-of-home care, and monitoring health costs related to substance use.

(4) The department of administration shall collaborate with and collect data from the departments of health services, corrections, justice, safety and professional services, and children and families and any other applicable agencies for the opioid and methamphetamine data system under sub. (1).

(5) (a) The department of administration shall administer the contract with the vendor to operate the opioid and methamphetamine data system and shall have access to the data contained in the opioid and methamphetamine data system. The department of administration shall work with the vendor to disseminate information
and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible.

(b) The opioid and methamphetamine data system shall allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws.

153.89 Reports; opioid and methamphetamine data system. By January 31, 2022, and annually thereafter, the department of administration shall submit a report to the joint committee on finance summarizing the information from the opioid and methamphetamine data system under s. 153.87 (1) and analyzing trends in that information across years of data collection.

SECTION 2. Fiscal changes.

(1) OPIOID AND METHAMPHETAMINE DATA. In the schedule under s. 20.005 (3) for the appropriation to the department of administration under s. 20.505 (1) (a), the dollar amount for fiscal year 2020-21 is increased by $1,500,000 as one-time funding to implement the opioid and methamphetamine data system under subch. III of ch. 153. Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42 for the 2021-23 biennial budget bill, the department of administration shall submit information concerning the appropriation under s. 20.505 (1) (a) as though the increase in the dollar amount of that appropriation under this subsection had not occurred.