

Report From Agency

**STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
CONTROLLED SUBSTANCES BOARD : CR 22-038
:
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I. THE PROPOSED RULE: The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA: The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

This rule schedules Perampanel as a Schedule III controlled substance. The Controlled Substances Board did not receive an objection to similarly listing Perampanel as a schedule III under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Perampanel as a schedule III controlled substance.

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats Perampanel under chapter 961, Stats. by creating the following:

CSB 2.89 Addition of Perampanel to schedule III. Section 961.18 (3) (fm), Stats., is created to read: 961.18 (3) (fm) Perampanel.

The Affirmative Action order, dated July 9, 2021, took effect on July 19, 2021, when it was published in the Administrative Register and expires upon promulgation of a final rule.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

Per s. 961.11(4), Stats., if no objection is made, the board shall promulgate a final rule for which notice of proposed rulemaking is omitted. Therefore, the Board did not hold a public hearing.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:
Legislative Council staff did not make any recommendations.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A