

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 23-021**

- 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 Ganaxolone as a schedule V controlled substance.

The Controlled Substances Board will promulgate a final rule, without making the determinations or findings required by ss. 961.11(1), (1m), (1r) and (2) or s. 961.19 and omitting the notice of proposed rulemaking, listing Ganaxolone as a schedule V controlled substance.

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

CSB 2.95 Addition of Ganaxolone to schedule V. Section 961.22 (11), Stats., is created to read:
961.22 (11) Ganaxolone.

The Affirmative Action order, dated July 20, 2022, took effect on July 25, 2022, 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