

CR 94-125

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Gerald Whitburn, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to developing a statewide poison control system were duly approved and adopted by this Department on December 7, 1994.

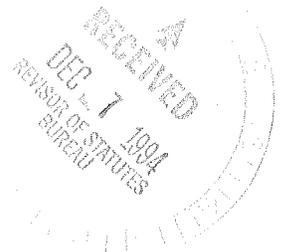
I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 7th day of December, 1994.



SEAL:

Gerald Whitburn, Secretary
Department of Health and Social Services



2-1-95

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
CREATING RULES

To create chapter HSS 167, relating to developing a statewide poison control system.

Analysis Prepared by the Department of Health and Social Services

Section 146.57, Stats., as created by 1993 Wisconsin Act 16, directs the Department to designate no more than two regional poison control centers to operate as a statewide poison control system. For the purpose of assisting with implementation of a statewide system, including a toll-free hotline, s. 146.57, Stats., as created by Act 16, directs the Department to distribute \$375,000 for fiscal year 1994-1995 to supplement center resources and, by rule, to provide for statewide collection and reporting of poison control data.

There are currently two poison control centers in the state where parents and others can call for information, assistance, and interpretation of poison information when a child or someone else has ingested a poisonous substance or a possible poisonous substance. One center is operated by the Children's Hospital of Wisconsin located in Milwaukee and the other by the University of Wisconsin Hospital and Clinics located in Madison. Together, the two centers provide services for the entire state.

These rules require the centers, as a condition for receiving state assistance, to submit to the Department every two years a joint proposal for coordinating activities, to comply with that agreement, to maintain a toll-free hotline, to provide services 24 hours a day and 365 days a year, to be staffed by medical personnel or poison information specialists certified by or eligible for certification by the American Association of Poison Control Centers (AAPCC), and to annually report specified poison control data to the Department.

The Department's authority to create these rules is found in s. 146.57(4), Stats., as created by 1993 Wisconsin Act 16, and in s. 227.11(2), Stats.. The rules interpret s. 146.57, Stats., as created by 1993 Wisconsin Act 16.

SECTION 1. Chapter HSS 167 is created to read:

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DIVISION OF STATISTICS
MADISON

Chapter HSS 167

STATEWIDE POISON CONTROL SYSTEM

HSS 167.01	Authority and purpose
HSS 167.02	Applicability
HSS 167.03	Definitions
HSS 167.04	Allocation of funds
HSS 167.05	Statewide system components
HSS 167.06	Proposal
HSS 167.07	Records and reports

HSS 167.01 AUTHORITY AND PURPOSE. This chapter is promulgated under the authority of ss. 146.57(4) and 227.11(2), Stats., to establish a statewide poison control system for the purpose of ensuring that poison prevention and intervention services are accessible as needed to all Wisconsin residents.

HSS 167.02 APPLICABILITY. This chapter applies to the department and to no more than 2 regional poison control centers that receive state general purpose revenue under s. 146.57(3), Stats., for the provision of poison control services, provided that funds are available under s. 20.435(1) (ds) Stats.

HSS 167.03 DEFINITIONS. In this chapter:

- (1) "AAPCC" means American association of poison control centers.
- (2) "Department" means the Wisconsin department of health and social services.
- (3) "Division" means the department's division of health.
- (4) "Exposure data" means the information about ingestion of a poisonous substance or of a possible poisonous substance, including information about what was ingested, how much, by whom, when, and where.
- (5) "Funding year" means the state fiscal year beginning July 1 and ending June 30.
- (6) "On-line staff" means staff of a center who personally respond to phone inquiries received by the center.
- (7) "Poison control services" means provision of rapid and accurate poison interpretation, poison intervention and management information, and provision of poison

prevention education for health care professionals and the public.

(8) "Regional poison control center" or "center" means a hospital designated by the department to receive state general purpose revenue to provide poison control services to a part of the state and to be part of the statewide poison control system.

(9) "Statewide poison control system" means no more than 2 regional poison control centers that collaborate to provide comprehensive and coordinated poison control services statewide.

(10) "Work plan" means an outline of the goals, objectives and implementation steps for a regional poison control center during one funding year, and against which the department will monitor the center.

HSS 167.04 ALLOCATION OF FUNDS. (1) In order to receive funds made available under s. 146.57(3)(a), Stats., a regional poison control center shall meet all requirements of this chapter.

(2) The department shall distribute funds under 146.57(3)(a), Stats., annually.

(3) Funds shall be distributed under separate contracts if there is more than one center.

(4) A regional poison control center may only be funded if there is a matching contribution from the regional poison control center amounting to at least 50% of state funding for the center.

HSS 167.05 STATEWIDE SYSTEM COMPONENTS. (1) The statewide poison control system shall provide poison control services that are available throughout the state, 24 hours a day and 365 days a year.

(2) A regional poison control center shall maintain telephone services capable of providing rapid, accurate, complete and accessible poison information throughout the state. These services shall be free to users through a statewide toll-free hotline.

(3) On-line staff at a regional poison control center who will interpret poison exposure data and provide poison intervention and management information shall include one or more of the following:

(a) A registered nurse licensed under ch. 441, Stats.;

(b) A pharmacist licensed under ch. 450, Stats.;

(c) A physician licensed under ch. 448, Stats., to practice medicine and surgery;

(d) A poison information specialist certified by or eligible for certification by the AAPCC;

(e) A graduate of a school of pharmacy, accredited by the American council on pharmaceutical education, who is in residency training;

(f) A pharmacy student enrolled in a school of pharmacy, accredited by the American council on pharmaceutical education, who has completed the second professional practice year; or

(g) A person employed as an on-line staff member at a center on May 1, 1994, who has worked in that capacity at the center for at least 3 years and who receives at least 16 documented hours of continuing education each year in interpreting poison data and in providing poison intervention and management information.

(4) The statewide poison control system shall provide poison information and education to professionals and the public.

HSS 167.06 JOINT PROPOSAL. (1) Every 2 years beginning in 1994, the 2 regional poison control centers shall submit a joint proposal to the division no later than May 1.

(2) The joint proposal shall contain regional work plans and budgets for the statewide poison control system and include the following parts:

(a) Geographic delineation of service regions;

(b) Protocols for triage, referral and follow-up of toxic exposures until the patient is medically stable;

(c) On-line staff qualifications and experience;

(d) A plan for publicizing statewide poison control services to the general public;

(e) Professional and public education programs;

(f) A quality assurance plan;

(g) Data collection;

(h) Regional budgets and supporting budget narratives; and

(i) Assurance that duplication of services will be minimized.

(3) A center shall submit an updated work plan and budget to the division in the alternate year, no later than May 1, beginning in 1995. If a center's updated budget and work plan indicate that the center is not operating according to the agreed joint proposal, the department may withhold all or part of an annual distribution of funds until all provisions of the agreed joint proposal are met.

HSS 167.07 RECORDS AND REPORTS. (1) A regional poison control center shall keep a record of each inquiry.

Note: A record of an inquiry must be treated as a confidential patient health care record pursuant to ss. 146.81 to 146.83, Stats.

(2) A regional poison control center shall submit a record of all calls requesting information and exposure data to the AAPCC's national data collection system on a quarterly basis within 30 days after the end of the quarter.

(3) The centers shall submit to the department reports required by the department, including a joint annual statewide report submitted to the department no later than September 1 of each year beginning in 1995. The joint report shall include a description of progress on attaining the goals, objectives and implementation steps outlined in the regional work plans and shall provide both center data and statewide data for the following data elements:

- (a) Epidemiology of poison case calls;
- (b) Breakdown of cases by nature of exposure;
- (c) Source of calls; and
- (d) Geographic origin of cases.

(4) Failure of a center to maintain the records or to submit the reports required under this section may result in the department's termination of funding available under s. 146.57(3), Stats.

The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided s. 227.22 (2), Stats.

Date: December 7, 1994

Wisconsin Department of Health
and Social Services

By: 

Gerald Whitburn
Secretary

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REVISOR OF STATUTES
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