

State of Wisconsin



2015 Assembly Bill 657

Date of enactment: April 26, 2016
Date of publication*: April 27, 2016

2015 WISCONSIN ACT 388

(Vetoed in Part)

AN ACT *to create* 20.455 (2) (kr), 165.95 (3) (cd) and 165.95 (3) (cg) of the statutes; **relating to:** treatment and diversion programs and making an appropriation.

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

SECTION 1. 20.455 (2) (kr) of the statutes is created to read:

20.455 (2) (kr) *Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; grants.* All moneys transferred under 2015 Wisconsin Act (this act), section 5 (1) for making grants to counties under s. 165.95 (2).

SECTION 2. 165.95 (3) (cd) of the statutes is created to read:

165.95 (3) (cd) Subject to par. (cg), the program does not prohibit a person from beginning or continuing participation in the program because he or she uses a medication that is approved by the federal food and drug administration for the treatment of his or her substance use disorder.

SECTION 3. 165.95 (3) (cg) of the statutes is created to read:

165.95 (3) (cg) The program allows a participant to use a medication that is approved by the federal food and drug administration if all of the following are true:

1. A licensed health care provider, acting in the scope of his or her practice, has examined the person and deter-

mined that the person's use of the medication is an appropriate treatment for the person's substance use disorder.

2. The medication was appropriately prescribed by a person authorized to prescribe medication in the state.

3. The person is using the medication as prescribed as part of treatment for a diagnosed substance use disorder.

SECTION 4. Nonstatutory provisions.

(1) **TREATMENT AND DIVERSION PROGRAM GRANTS.** Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2017–19 biennial budget bill, the department of administration shall submit information concerning the appropriation under section 20.455 (2) (em) of the statutes as though the amounts in the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.455 (2) (em) is \$2,000,000 higher in each fiscal year than the amounts identified in the schedule under section 20.005 (3) of the statutes for fiscal year 2016–17.

SECTION 5. Fiscal changes.

(1) **TREATMENT AND DIVERSION PROGRAMS; TRANSFER.** There is transferred from the unencumbered balance in the appropriation account under section 20.435 (2) (gk) of the statutes to the appropriation account under section

**Vetoed
In Part**

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

20.455 (2) (kr) of the statutes \$2,000,000 in fiscal year
2016-17.
