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Committee on Health
February 3, 2016 Public Hearing
AB658 Testimony

Thank you, Mr. Chairman, for holding a hearing on Assembly Bill 658 today. This issue was brought to my attention by a constituent and a local business owner in my district. This business has a contract that requires all employees be drug-free. This issue has proved to be more difficult, as they have faced situations where employees were using synthetic urine to pass employer-required drug tests. Synthetic urine has the potential to be used as a masking agent that may allow a drug user to falsify the results of a drug test and appear drug-free.

To combat this issue, the business owner began to ask employees to empty their pockets before taking any required drug tests. In some cases, employees would refuse to take required drug tests and, subsequently, the business owner would find synthetic urine in the employees' possession. This resulted in the company wasting valuable time and energy attempting to prove to the Department of Workforce Development why those who walked off a job, quit, or were fired due to the drug testing requirements should not receive unemployment benefits.

Through research, we found that 14 other states have passed laws relating to masking agents like synthetic urine and their use in falsifying drug test results. Assembly Bill 658 is modeled after language from other states and criminalizes the possession, manufacturing, distribution, and advertisement of any substance or device which is intended to defraud, circumvent, interfere with, or provide a substitute for a bodily fluid in conjunction with a lawfully administered drug test. The penalties in this Assembly Bill 658 are mirrored from the current penalties in place for synthetic marijuana and will be applied accordingly.

Thank you once again Chairman Sanfelippo and committee members for hearing my testimony today.



John Nygren

WISCONSIN STATE REPRESENTATIVE ★ 89TH ASSEMBLY DISTRICT

**HOPE Agenda Testimony
State Rep. John Nygren
February 3, 2016**

Thank you Chair Sanfelippo and members of the Assembly Committee on Health for holding a public hearing on Assembly Bills 658, 659, 660, and 766.

These pieces of legislation are an extension of the HOPE Agenda (Heroin, Opioid Prevention and Education). Our goal with these proposals is to continue to address what many people believe to be the root of our state's heroin problem: prescription drug abuse and addiction. Studies show that, in many cases, heroin addiction begins with an addiction to prescription painkillers. Whether these medications are obtained legally or not, we need to do our best to curtail the illegal use of these dangerous substances. It is for this reason that I am offering additional HOPE Agenda bills that are aimed at fighting prescription drug abuse in Wisconsin.

The following are summaries of each of the four bills:

AB 658: This bill criminalizes the possession, manufacture, distribution, and advertisement of any substance or device which is intended to defraud, circumvent, interfere with, or provide a substitute for a bodily fluid in conjunction with a lawfully administered drug test. The penalties in this bill were mirrored from the current penalties in place for synthetic marijuana and will be applied accordingly.

AB 659: Currently, state law relating to opioid treatment programs is much more highly regulated than federal law. Wisconsin's high level of regulation has inhibited treatment programs from being able to expand. This bill streamlines aspects of state law to align certain opioid treatment program regulations with federal law.

AB 660: This bill will allow the Medical Examining Board (MEB), the Board of Nursing, the Dentistry Examining Board, and the Optometry Examining Board to issue guidelines regarding best practices in prescribing controlled substances.

AB 766: This legislation creates reporting requirements for the Prescription Drug Monitoring Program (PDMP). The data collected will be reviewed and evaluated by the Controlled Substances Board (CSB) to determine the effectiveness of the PDMP and to compare actual outcomes with projected outcomes.

I appreciate the opportunity to testify before your committee today on these important pieces of legislation and welcome any questions you may have at this time.