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Tony Evers, Governor
Dawn B. Crim, Secretary

December 22, 2020

Wisconsin State Senate
Chief Clerk
PO Box 7882
Madison, WI 53707-7882

Wisconsin State Assembly
Chief Clerk
PO Box 8952
Madison, WI 53708-8952

RE: Opioid Abuse Reports

Dear Chief Clerks:

The enclosed annual reports are being submitted on behalf of the Wisconsin Board of Nursing, Wisconsin Dentistry Examining Board, Wisconsin Medical Examining Board, Wisconsin Optometry Examining Board, and the Wisconsin Podiatry Affiliated Credentialing Board, pursuant to Wisconsin Statute s. 440.035(2m)(c)1.

Any questions regarding the reports should be directed to the respective board as follows:

Wisconsin Board of Nursing
c/o Christine Poleski, Executive Director
4822 Madison Yards Way
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Madison, WI 53708-8366

Wisconsin Dentistry Examining Board
c/o Adam Barr, Executive Director
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Wisconsin Medical Examining Board
Wisconsin Optometry Examining Board
Wisconsin Podiatry Affiliated Credentialing Board
c/o Valerie A. Payne, Executive Director
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Sincerely,

Dawn B. Crim
Secretary-designee

cc: Peter J. Kallio, RN, Chair, Wisconsin Board of Nursing
Matthew R. Bistan, DDS, Chair, Wisconsin Dentistry Examining Board
Sheldon A. Wasserman, MD, Chair, Wisconsin Medical Examining Board
Robert C. Schulz, OD, Chair, Wisconsin Optometry Examining Board
Jack W. Hutter, DPM, Chair, Wisconsin Podiatry Affiliated Credentialing Board

Peter Kallio
Chairperson

Lisa Pisney
Vice Chairperson

Luann Skarlupka
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WISCONSIN BOARD OF NURSING



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REPORT ON OPIOID ABUSE

Proactive Efforts Taken by the Board of Nursing to Address Opioid Abuse

- 1. Controlled Substances Prescribing Guidelines** – The Board of Nursing adopted Best Practices for Prescribing Controlled Substances Guidelines (Guidelines) on January 12, 2017. The Guidelines were developed using the following:
 - Centers for Disease Control’s *Guideline for Prescribing Opioids for Chronic Pain*.
 - American Association of Nurse Anesthetists’ *Chronic Pain Management Guidelines*.
 - American Nurses Association’s *Nursing’s Role in Addressing Nation’s Opioid Crisis*.
 - Federal Drug Administration’s *Blueprint for Prescriber Education for Extended-Release and Long-Acting Opioid Analgesics*.
 - Wisconsin Medical Examining Board’s *Opioid Prescribing Guideline*.
 - Michigan’s *Guidelines for the Use of Controlled Substances for the Treatment of Pain*.
 - The Joint Commission’s *Statement on Pain Management*.
 - National Transportation Safety Board recommendations for advising patients of the effect controlled substances may have on their ability to safely operate a vehicle.

The Board of Nursing published the Guidelines in their newsletter and provided a copy of the Guidelines to every advanced practice nurse prescriber with an active license and an email on file with the Department of Safety and Professional Services. The Guidelines are available at <https://dsps.wi.gov/Documents/BoardCouncils/NUR/BONGuidelinesV1.pdf>.

- 2. Controlled Substances Continuing Education** – The Board of Nursing requires each advanced practice nurse prescriber to complete 2 hours of the required 16 hours of continuing education in the topic of responsible prescribing of controlled substances.
- 3. Prescription Drug Monitoring Program (PDMP) Information in Newsletter** – The Board of Nursing has highlighted information regarding the Prescription Drug Monitoring Program in their newsletter.
- 4. PDMP Prescribing Metrics for Prescribing Practice Complaints** – The Board of Nursing Screening Panel reviews the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advanced practice nurse prescriber’s prescribing practices.
- 5. Membership on the Controlled Substances Board** – A member of the Board of Nursing is designated as a standing member of the Controlled Substances Board (CSB). The CSB is instrumental in the efforts to combat opioid abuse, primarily through its involvement with the PDMP and the scheduling of controlled substances under Wisconsin’s Controlled Substances Act.

Goals for Addressing the Issue of Opioid Abuse as it Relates to the Practice of Nursing

- 1. Compliance with the PDMP Provider Review Requirement** –The Board of Nursing will continue its effort to increase compliance by raising awareness of the PDMP provider review requirement.
- 2. Education** – The Board of Nursing will continue to explore opportunities to expand on its educational outreach in the areas of safe opioid prescribing and opioid abuse.
- 3. PDMP Outreach** – The Board of Nursing will continue to work with PDMP staff to provide information concerning the PDMP to its licensees.
- 4. PDMP Prescribing Outliers** – The Board of Nursing will continue to review referrals of advanced practice nurse prescribers from the Controlled Substances Board to identify those advance practice nurse prescribers whose prescribing practices are outliers. In addition, the Board of Nursing Screening Panel will continue to review the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advance practice nurse prescriber’s prescribing practices.

Actions Taken by the Board of Nursing to Achieve the Goals Identified in Previous Reports

- 1. Compliance with Provider Review Requirement** – The Board of Nursing’s goal was to continue its effort to increase compliance by raising awareness of the PDMP provider review requirement. As a means of facilitating this effort, the Board has requested PDMP staff to provide data on waivers for advanced practice nurse prescribers.
- 2. Education** – The Board of Nursing’s goal was to explore opportunities to expand on its educational outreach in the areas of safe opioid prescribing and opioid abuse. The Board has requested PDMP staff to provide opioid abuse statistics coming out of the COVID-19 public health emergency, as the Board anticipates this information will produce opportunities to expand on its educational outreach.
- 3. PDMP Outreach** – The Board of Nursing’s goal was to continue to work with PDMP staff to provide information concerning the PDMP to its licensees. As a member of the Controlled Substances Board, Peter Kallio, Chairperson of the Board of Nursing, regularly meets with and receives updates from PDMP staff. During the current reporting period, there were no significant changes to the PDMP requiring an update to licensees.
- 4. PDMP prescribing outliers** – The Board of Nursing’s goal was to continue to review referrals of advanced practice nurse prescribers from the Controlled Substances Board (CSB) to identify those advance practice nurse prescribers whose prescribing practices are outliers.

The CSB uses reports generated from the PDMP to determine whether physicians will be referred to the Board for possible investigation. The Board did not receive any referrals from the CSB during the current reporting period. As a follow up, the Board has requested information from PDMP staff concerning the framework of referral criteria from PDMP reporting.

Another goal was for the Board of Nursing Screening Panel to continue to review the PDMP Prescribing Metrics Summary for any advanced practice nurse prescriber who has a complaint relating to the advance practice nurse prescriber’s prescribing practices. The Screening Panel continues this practice as part of its review of a complaint.

Matthew Bistan
Chairperson

Wendy Pietz
Vice Chairperson

Dennis Myers
Secretary

DENTISTRY EXAMINING BOARD



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2020 REPORT ON OPIOID ABUSE

Proactive Efforts Taken by the Dentistry Examining Board to Address Opioid Abuse

1. **Controlled Substances Prescribing Guidelines** – The Dentistry Examining Board adopted Best Practices for Prescribing Controlled Substances Guidelines (Guidelines) on April 12, 2017. The Dentistry Examining Board previously provided a copy of the Guidelines to every dentist with an active license and an email on file with the Department of Safety and Professional Services. The Guidelines are available at <https://dsps.wi.gov/Documents/BoardCouncils/DEN/DENGuidelinesApril2017.pdf>.
2. **Controlled Substances Continuing Education** - The Dentistry Examining Board requires each dentist to complete two (2) hours of continuing education in the topic of responsible prescribing of controlled substances for the treatment of acute dental pain each biennium in order to renew the license. This continuing education requirement applies to the biennium ending in 2021 and previously in 2019.

Goals for Addressing the Issue of Opioid Abuse as it Relates to the Practice of Dentistry

1. **Increase the Number of Dentists Registered with the Prescription Drug Monitoring Program (PDMP)** – In previous years of this report, all dentists were considered as eligible for registration in the PDMP program in setting a goal for the upcoming year. In reviewing PDMP data, a total of 23% or 1,054 of total licensed dentists in WI are exempt from registering from PDMP. This is an important consideration in goal setting related to increasing registration rates in the program. (More details on PDMP exempt can be found at https://docs.legis.wisconsin.gov/code/admin_code/csb/4/08)

As of November 30, 2020, the total number of PDMP registered users (prescribers only) in dentistry is 2,652. The registration rate is 57.4% considering the total number of licensees 4,620 (as of 11/30/2020). When removing the licensed dentists with PDMP-exemptions from the registration rate, a total of 73.8% of dentists (total registered users 2,634/total licensees 3,566) participate in PDMP. The Dentistry Examining Board will strive to increase participation in the PDMP program. The goal is to achieve a five percent (5%) increase of the percentage of licensed total of non-exempt dentists registered with the PDMP to reach a 78.8% registration rate. This adjustment considers a more accurate assessment of program participation and the continuation of challenges associated in achieving increased registration in the midst of the pandemic.

2. **Education Regarding the Opioid Prescribing** – The Dentistry Examining Board recognizes the value in educating dentists about the Dentistry Examining Board's Best Practices for Prescribing Controlled Substances Guidelines and PDMP. Therefore, the Dentistry Examining Board will work to expand its educational outreach on the topics of prescribing controlled substances and utilizing the PDMP in 2021.

3. **Controlled Substances Continuing Education** - The Dentistry Examining Board requires each dentist to complete two (2) hours of continuing education in the topic of responsible prescribing of controlled substances for the treatment of acute dental pain each biennium in order to renew the license. As this continuing education requirement applies to the biennium ending in 2021 and previously in 2019, the Board Goal will consider the renewal of requirements for biennium ending in 2023 and 2025.

Action Taken on 2019 Report Goals

1. **Increase the Number of Dentists Registered with the Prescription Drug Monitoring Program (PDMP)** – The Dentistry Examining Board’s 2019 Goal was to increase the number of licensed dentists registered with the PDMP from 54% to 65%. Currently 57.4% of all licensed dentists are registered with the PDMP. As 23% of all licensed dentists are PDMP-exempt, the adjusted rate of PDMP registration is 73.8% of all non-exempt dentists.
2. **Education Regarding the Utilization of PDMP** – The Dentistry Examining Board Goal was to work with PDMP staff to provide and promote education regarding the utilization of PDMP. PDMP staff provided outreach education at a Greater Milwaukee Dental Association event in 2019. However, events that provide outreach opportunities were limited in 2020 due to the pandemic. The Marquette University School of Dentistry and Wisconsin Department of Health Services, Division of Public Health provided a comprehensive training for dentists, titled, “Dental Pain Management in the Midst of the Evolving Substance Use Disorder Epidemic.” The no-cost webinar on opioids and pain management covered the two (2) continuing education hour requirement for licensure. The PDMP program participated in this event.

Sheldon A. Wasserman
Chairperson

Sumeet K. Goel
Vice Chairperson

Clarence P. Chou
Secretary

WISCONSIN MEDICAL EXAMINING BOARD



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Wisconsin Medical Examining Board Report on Opioid Abuse – October 2020

Scope and purpose of the report: 2017 Wisconsin Act 262 requires the Medical Examining Board to annually submit a report related to opioid abuse to the Legislature and Governor's Office. The report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of medicine and surgery in Wisconsin. The report must also include actions taken by the Board to achieve the goals identified in previous reports, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse:

- **Statewide Outreach**

As former vice chair of the Medical Examining Board and former member of the Controlled Substances Board, Dr. Timothy Westlake worked with the Governor's Office, the Legislature, the Wisconsin Medical Society, the state's two medical schools, and hospital and clinic systems to ensure the Board is an effective partner in statewide efforts to enhance the physician workforce's knowledge concerning the appropriate use and best prescriptive practices with opioids. These efforts included determining how to combat the inappropriate prescribing of opioids through use of the Prescription Drug Monitoring Program, as well as through enhancements to electronic health records.

- **National Outreach and Leadership**

Doctor Kenneth Simons, former Chair of the Medical Examining Board, served on the Board of Directors for the Federation of State Medical Boards (FSMB). During his term, the FSMB undertook several initiatives related to opioid abuse, including participation in the Action Collaborative on Countering the U.S. Opioid Epidemic.

- **Opioid Prescribing Guideline**

In July 2016, the Board issued its Opioid Prescribing Guideline. The Guideline, which encourages providers to implement best practices for responsible prescribing, was developed using the Centers for Disease Control and Prevention's Guideline for Prescribing Opioids for Chronic Pain and the Wisconsin Department of Workforce Development's Chronic Opioid Clinical Management Guidelines for Wisconsin Worker's Compensation Patient Care as primary resources. The Board has continually monitored and periodically updated the Guideline, most recently in January of 2019.

- **Continuing Education Related to Prescribing Controlled Substances**

The Board revised its administrative rules to extend the requirement for both MD and DO physicians to take two of the required 30 hours of continuing medical education via an approved course on prescribing controlled substances. Physicians who do not hold a U.S. Drug Enforcement Administration number to prescribe controlled substances are exempted from the requirement.

Goals for addressing the issue of opioid abuse as it relates to the practice of medicine and surgery in Wisconsin:

- **Continuing Education Related to Prescribing Controlled Substances**

The Board's goal is to have rules in place at the beginning of the 2021-2023 biennium that will extend the requirement for the completion of continuing medical education related to prescribing controlled substances through the end of that biennium.

- **Enforcement Action**

The Board's goal is to, in partnership with the Controlled Substances Board, continue to proactively investigate physicians whose prescriptive practices with controlled substances may be inconsistent with the standard of minimally competent medical practice.

- **Opioid Prescribing Guideline**

The Board will continue to monitor the Guideline and make updates as needed to keep it current and relevant to physicians and their patients.

- **Continued Outreach and Leadership**

As the Board recently experienced a significant change in its membership and leadership, it is the Board's goal to explore avenues through which it can continue its active participation in the statewide and national efforts to combat opioid abuse.

Actions taken by the Board to achieve the goals identified in previous reports:

- **Continuing Education Related to Prescribing Controlled Substances**

The Board's goal was to assess the need to extend the requirement to complete continuing medical education related to prescribing controlled substances. At its September 16, 2020 meeting, the Board approved a scope statement to begin promulgation of rules that will extend the requirement for an additional biennium.

- **Enforcement Action**

The Board's goal was to, in partnership with the Controlled Substances Board (CSB), continue to proactively investigate physicians whose prescriptive practices with controlled substances may be inconsistent with the standard of minimally competent medical practice.

The CSB uses reports generated from the Prescription Drug Monitoring Program (PDMP) to determine whether physicians will be referred to the Board for possible investigation. The Board did not receive any referrals from the CSB during the current reporting period.

- **Opioid Prescribing Guideline**

The Board's goal was to continue to monitor its Opioid Prescribing Guideline and make updates as needed to keep it current and relevant to physicians and their patients.

The Board continues to monitor its Opioid Prescribing Guideline to ensure it is kept current and relevant to physicians and their patients. The Guideline remains current and relevant since its last update in January of 2019.

- **Continued Outreach and Leadership**

It was the Board's goal to continue its active participation in the statewide and national efforts to combat opioid abuse.

As former vice chair of the Medical Examining Board and a former member of the Controlled Substances Board, Dr. Timothy Westlake worked with the Governor's Office, the Legislature, the Wisconsin Medical Society, the state's two medical schools, and hospital and clinic systems to ensure the Board is an effective partner in statewide efforts to enhance the physician workforce's knowledge concerning the appropriate use and best prescriptive practices with opioids. These efforts included determining how to combat the inappropriate prescribing of opioids through use of the Prescription Drug Monitoring Program, as well as through enhancements to electronic health records.

Doctor Kenneth Simons, former Chair of the Medical Examining Board, served on the Board of Directors for the Federation of State Medical Boards (FSMB). During his term the FSMB was dedicated to initiatives related to opioid abuse, including participation in the Action Collaborative on Countering the U.S. Opioid Epidemic.

Robert Schultz
Chairperson

WISCONSIN OPTOMETRY EXAMINING BOARD

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John Sterling
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Emmylou Wilson
Secretary

Wisconsin Optometry Examining Board Report on Opioid Abuse – December 2020

Scope and purpose of the report: Section 440.035 (2m) (c) 1., Stats., requires the Optometry Examining Board to annually submit a report related to the issue of opioid abuse to the Legislature and Governor's Office. This report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of optometry in Wisconsin. The report for 2020 also includes actions taken by the Board to achieve the goals identified in the 2019 report, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse: Controlled Substances Prescribing Guidelines

The Optometry Examining Board maintains the Best Practices for Prescribing Controlled Substances Guidelines to keep it up to date with current trends and changes. The *Best Practices for Prescribing Controlled Substances Guidelines* are available on the Board's page at dsps.wi.gov. The Optometry Examining Board is in the process of reviewing the *Guidelines* and will discuss changes at their next meeting on January 21, 2021.

Education on National Trends

The Board annually sends at least one member to the Association of Regulatory Boards of Optometry, Inc. Annual Meeting to interact with regulatory colleagues and discuss the hot topics and shared concerns in the regulatory community. The Board reviews and discusses the report regarding these national issues and trends being faced by Optometry examining boards across the jurisdictions.

Continuing Education Related to Prescribing Controlled Substances

For the biennium starting December 15, 2019 and ending December 14, 2021, the Board requires licensees to complete two (2) hours of continuing education relating to prescribing controlled substances.

Goals for 2021 to address the issue of opioid abuse as it relates to the practice of optometry in Wisconsin:

Goal 1: Evaluate the 2-credit continuing education requirement relating to prescribing controlled substances.

Opt 8.02 (1m) requires 2 hours of continuing education on the topic of responsible prescribing of controlled substances for the biennial registration period commencing December 15, 2019 and ending December 14, 2021. The Optometry Examining Board will decide whether to adopt an administrative rule to continue that 2-hour requirement beyond the current biennium.

Goal 2: Tracking Trends

The Optometry Examining Board will invite Prescription Drug Monitoring Program staff to a 2021 board meeting to receive an update on the optometric prescribing of controlled substances to aid the board in tracking and reviewing trends in prescribing by licensed optometrists.

Goal 3: Complete the update of the Controlled Substances Prescribing Guidelines

At the Optometry Examining Board's meeting on September 24, 2020, the board designated a liaison to work with DSPS staff to develop recommendations to update the *Controlled Substances Prescribing Guidelines*. The board will review those recommendations at their January 21, 2021 meeting.

Goal 4: Goal 2: Communications to Licensees Registered with the PDMP

The Optometry Examining Board will work with PDMP staff to develop recommendations for licensees who have a DEA Registration Number, which is a small subset of licensees, to encourage them to use the PDMP effectively as part of their prescribing practice.

Updates on goals from the 2019 report for addressing the issue of opioid abuse as it relates to the practice of optometry in Wisconsin:**Goal 1: Tracking Trends**

The Optometry Examining Board has scheduled a standing item for the annual May board agenda to receive updates from the Prescription Drug Monitoring Program, which will aid the board in tracking and reviewing trends in prescribing by licensed optometrists.

Update: At the Optometry Examining Board's September 24, 2020 meeting, the Prescription Drug Monitoring Program presented an update on the optometric prescribing of controlled substances.

Goal 2: Communications to Licensees Registered with the PDMP

The Optometry Examining Board will work with PDMP staff to develop recommendations for licensees who have a DEA Registration Number, which is a small subset of licensees, to encourage them to use the PDMP effectively as part of their prescribing practice.

Update: The Optometry Examining Board continues to work with PDMP staff to develop recommendations for licensees who have a DEA Registration Number, a small subset of licensees, to encourage them to use the PDMP effectively as part of their prescribing practice.

Jack W. Hutter
Chairperson

Robert M. Sage
Vice Chairperson

Thomas R. Komp
Secretary

**WISCONSIN PODIATRY AFFILIATED
CREDENTIALING BOARD**



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Wisconsin Podiatry Affiliated Credentialing Board Report on Opioid Abuse – October 2020

Scope and purpose of the report: 2017 Wisconsin Act 262 requires the Podiatry Affiliated Credentialing Board to annually submit a report related to opioid abuse to the Legislature and Governor's Office. The report must include proactive efforts taken by the Board to address the issue of opioid abuse and goals for addressing the issue of opioid abuse as it relates to the practice of podiatric medicine and surgery in Wisconsin. The report must also include actions taken by the Board to achieve the goals identified in previous reports, and whether those goals have been achieved.

Proactive efforts taken by the Board to address the issue of opioid abuse:

Opioid Prescribing Guideline

In June 2020, the Board reviewed and adopted the Wisconsin Medical Examining Board Opioid Prescribing Guideline dated January 16, 2019.

Continuing Education Related to Prescribing Controlled Substances

In June 2020, the Board held a public hearing on proposed rules that will establish requirements for the completion of continuing podiatric medical education related to prescribing controlled substances. The Board's goal is to have the rules in place for the 2020-2022 biennium.

Education on the Issue of Opioid Abuse

In June 2020, Prescription Drug Monitoring Program (PDMP) staff provided the Board with an overview of the data available from the PDMP and how extensively the PDMP database is used by licensees.

Goals for addressing the issue of opioid abuse as it relates to the practice of podiatric medicine and surgery in Wisconsin:

Education on the Issue of Opioid Abuse

Based on information presented by Prescription Drug Monitoring Program (PDMP) staff to the Board in June 2020, the Board recognized a need to educate licensees on the requirement to register with the PDMP. The Board's goal is to work with the Department of Safety and Professional Services and the Wisconsin Podiatric Medical Association to provide this education.

Enforcement Action

Currently, if an investigation of a podiatrist's prescriptive practices occurs, it is done in response to a complaint filed against the podiatrist. The Board's goal is to, in partnership with the Controlled Substances Board, proactively investigate podiatrists whose prescriptive practices with controlled substances may deviate from the course of legitimate professional practice or constitute a danger to the health, welfare, or safety of patients or the public. The Controlled Substances Board will use reports generated from the Prescription Drug Monitoring Program to refer podiatrists to the Board for possible investigation.

Opioid Prescribing Guideline

The Board will continue to review and, as appropriate, adopt updates to the Wisconsin Medical Examining Board Opioid Prescribing Guideline.

Actions taken by the Board to achieve the goals identified in previous reports:

Education on the Issue of Opioid Abuse

The Board's goal was to work as needed with Prescription Drug Monitoring Program (PDMP) staff to learn of any significant changes to the PDMP.

In June 2020, Prescription Drug Monitoring Program (PDMP) staff provided the Board with an overview of the data available from the PDMP and how extensively the PDMP database is used by licensees.

Enforcement Action

The Board's goal was to, in partnership with the Controlled Substances Board (CSB), proactively investigate podiatrists whose prescriptive practices with controlled substances may deviate from the course of legitimate professional practice or constitute a danger to the health, welfare, or safety of patients or the public.

The CSB uses reports generated from the Prescription Drug Monitoring Program (PDMP) to determine whether podiatrists will be referred to the Board for possible investigation. The Board has not received any referrals from the CSB.

Opioid Prescribing Guideline

The Board's goal was to continue to review and, as appropriate, adopt updates to the Wisconsin Medical Examining Board Opioid Prescribing Guideline.

In June 2020, the Board reviewed and adopted the Wisconsin Medical Examining Board Opioid Prescribing Guideline dated January 16, 2019.