

# State of Wisconsin



2021 Senate Bill 49

Date of enactment: **March 16, 2022**

Date of publication\*: **March 17, 2022**

## 2021 WISCONSIN ACT 181

AN ACT *to create* subchapter III of chapter 153 [precedes 153.85] of the statutes; **relating to:** opioid and methamphetamine data system.

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

**SECTION 3.** Subchapter III of chapter 153 [precedes 153.85] of the statutes is created to read:

**CHAPTER 153**  
**SUBCHAPTER III**  
**OPIOID AND**  
**METHAMPHETAMINE DATA**

**153.85 Definition; opioid and methamphetamine data.** In this subchapter, “vendor” means a person awarded the contract following a request for proposals described under s. 153.87.

**153.87 Opioid and methamphetamine data system.** (1) Subject to sub. (3), the department of administration shall issue a request for proposals to establish and maintain an opioid and methamphetamine data system to collect, format, analyze, and disseminate information on opioid and methamphetamine use, which shall include all of the following:

- (a) Hospital discharge data from visits and stays related to opioid use or overdose.
- (b) Hospital discharge data from visits and stays related to methamphetamine use or overdose.
- (c) Ambulance service run data related to opioid use or overdose.

(d) The number of opioid–related overdoses in the state, the number of individuals who overdose on opioids, and the opioids on which the individuals overdose.

(e) The number of methamphetamine–related overdoses in the state, the number of individuals who overdose on methamphetamines, and the forms of methamphetamines on which the individuals overdose.

(f) Death records related to opioid use or overdose.

(g) Death records related to methamphetamine use or overdose.

(h) The number of opioid treatment centers in the state, by the owner or operator of each opioid treatment center.

(i) The number of methamphetamine treatment centers in the state, by the owner or operator of each methamphetamine treatment center.

(j) The number of providers in this state that are allowed to prescribe a drug that is a combination of buprenorphine and naloxone, the patient capacity for those prescribers, the number of patients taking such a combination drug, and the number of patients who have discontinued such a combination drug due to successful completion of a treatment program.

(k) The number of methadone clinics in the state, the number of patients taking methadone, the number of patients who more than once have been on courses of

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\* 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.”

methadone, the number of patients who have discontinued methadone use due to successful completion of a treatment program, and the number of patients who are receiving methadone treatment for each of the following durations:

1. Longer than 12 months.
2. Longer than 3 years.
3. Longer than 4 years.
4. Longer than 5 years.
5. Longer than 8 years.
6. Longer than 10 years.

(L) The amount of naloxone doses dispensed, the total number of naloxone doses administered, and the number of unique patients who have received doses of naloxone.

(m) The number of adults in the state who use opioids, the extent to which those adults use opioids, and the type of opioids used.

(n) The number of adults in the state who use methamphetamines, the extent to which those adults use methamphetamines, and the forms of methamphetamines used.

(o) The number of minors in the state who use opioids, the extent to which those minors use opioids, and the type of opioids used.

(p) The number of minors in the state who use methamphetamines, the extent to which those minors use methamphetamines, and the forms of methamphetamines used.

(q) The number of minors who enter the child protective services system due to opioid use by a parent or guardian, length of time those minors are in out-of-home care, and the type of reporter who notified child protective services of the needs of the minor.

(r) The number of persons who are incarcerated and who are receiving naltrexone for extended-release in injectable suspension, the number of persons who are on extended supervision or probation or on parole and who are receiving extended-release naltrexone, the total number of doses of extended-release naltrexone administered to persons who are incarcerated, on extended supervision or probation, or on parole in this state, and the length of time that persons who are incarcerated, on extended supervision or probation, or on parole are receiving extended-release naltrexone.

(s) The number of arrests and convictions related to methadone and the number related to a drug that is a combination of buprenorphine and naloxone.

(t) The number of arrests and convictions related to methamphetamines.

(2) The opioid and methamphetamine data system under sub. (1) shall identify, to the extent possible, for sub. (1) (a), (b), (c), (d), (e), (f), (g), (j), (k), (m), (n), (o), (p), and (r) the number of individuals who have each of the following forms of health care coverage:

(a) Public health care coverage under the Medical Assistance program.

(b) Public health care coverage under Medicare, a veteran or military health plan, or another public form of coverage other than Medical Assistance, including any self-insured governmental health plan.

(c) Private insurance or a private health plan.

(d) Self-coverage or uninsured.

(3) (a) Before issuing the request for proposal, the department of administration in collaboration with the departments of health services and safety and professional services shall submit to the joint committee on finance the proposed request for proposals described under sub. (1) and a request to supplement in an amount not to exceed \$1,500,000 any appropriation of one of the departments. Notwithstanding the specified purpose of any such appropriation, a supplement under this paragraph may be expended for the purpose of financing the cost of the opioid and methamphetamine data system. If the cochairpersons of the joint committee on finance do not notify the departments within 14 working days after the date of the submission under this paragraph that the committee has scheduled a meeting for the purpose of reviewing the submission, the departments may issue the request for proposals and the proposed supplement is considered approved. If, within 14 working days after the date of the submittal of the proposed request for proposals under this paragraph, the cochairpersons of the committee notify the departments that the committee has scheduled a meeting for the purpose of reviewing the submission, the departments may issue the proposed request for proposals only upon approval by the committee and the supplementation is subject to the committee's approval.

(b) At the time of the departments' submission under par. (a), the departments of health services, children and families, corrections, justice, and safety and professional services may submit to the joint committee on finance suggestions of opioid-related or methamphetamine-related information to collect, analyze, and disseminate in addition to information specified under sub. (1) to assist the agencies in analyzing the behavioral health status of the state's population, reducing relapse of opioid and methamphetamine misuse, improving patient outcomes after opioid or methamphetamine use or overdose, assisting minors who are in out-of-home care, and monitoring health costs related to substance use.

(4) The department of administration shall collaborate with and collect data from the departments of health services, corrections, justice, safety and professional services, and children and families and any other applicable agencies for the opioid and methamphetamine data system under sub. (1).

(5) (a) The department of administration shall administer the contract with the vendor to operate the opioid

and methamphetamine data system and shall have access to the data contained in the opioid and methamphetamine data system. The department of administration shall work with the vendor to disseminate information and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible.

(b) The opioid and methamphetamine data system shall allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as

appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws.

**153.89 Reports; opioid and methamphetamine data system.** By January 31, 2024, and annually thereafter, the department of administration shall submit a report to the joint committee on finance summarizing the information from the opioid and methamphetamine data system under s. 153.87 (1) and analyzing trends in that information across years of data collection.

