

**TELECONFERENCE/VIRTUAL  
CONTROLLED SUBSTANCES BOARD  
MEETING MINUTES  
MAY 8, 2020**

**PRESENT:** Yvonne Bellay, Alan Bloom, Doug Englebert, Leonardo Huck, Peter Kallio, Sandy Koresch (*joined at 9:47 a.m.*), John Weitekamp, Timothy Westlake

**EXCUSED:** Subhadeep Barman

**STAFF:** Christian Albouras, Executive Director; Jameson Whitney, Board Legal Counsel; Sharon Henes, Administrative Rules Coordinator; Megan Glaeser, Bureau Assistant; and other DSPS Staff

**CALL TO ORDER**

Doug Englebert, Chairperson, called the meeting to order at 9:31 a.m. A quorum was confirmed with six (6) board members present.

**ADOPTION OF AGENDA**

**MOTION:** Leonardo Huck moved, seconded by Peter Kallio, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Peter Kallio moved, seconded by Timothy Westlake, to approve the Minutes of March 13, 2020 as published. Motion carried unanimously.

(*Sandy Koresch joined at 9:47 a.m.*)

**ADMINISTRATIVE RULE MATTERS**

**Adopt CR 19-010 Relating to Scheduling NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA**

**MOTION:** Peter Kallio moved, seconded by John Weitekamp, to approve the Adoption Order for Clearinghouse Rule 19-010, relating to scheduling NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA. Motion carried unanimously.

**Adopt CR 19-011 Relating to Scheduling N-Ethylopentylone**

**MOTION:** Alan Bloom moved, seconded by Timothy Westlake, to approve the Adoption Order for Clearinghouse Rule 19-011, relating to scheduling N-Ethylopentylone. Motion carried unanimously.

**Adopt CR 19-012 Relating to Scheduling**

**MOTION:** Peter Kallio moved, seconded by Sandy Koresch, to approve the Adoption Order for Clearinghouse Rule 19-012, relating to scheduling Approved Cannabidiol Drugs. Motion carried unanimously.

**Affirmative Action Scheduling Cenobamate**

**MOTION:** Yvonne Bellay moved, seconded by Timothy Westlake, to schedule by affirmative action as a schedule V controlled substance. The order shall take effect on May 18, 2020, to allow for publication in the Administrative Register. Motion carried unanimously.

**Affirmative Action Scheduling Lemborexant**

**MOTION:** Sandy Koresch moved, seconded by Yvonne Bellay, to schedule by affirmative action Lemborexant as a schedule IV controlled substance. The order shall take effect on May 18, 2020, to allow for publication in the Administrative Register. Motion carried unanimously.

**CSB 2.71 Scope Relating to Scheduling Lasmiditan**

**MOTION:** Peter Kallio moved, seconded by Yvonne Bellay, to approve the Scope Statement revising CSB 2.71, relating to scheduling Lasmiditan, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. Motion carried unanimously.

**CSB 2.66 Relating to Scheduling 5F-EDMB-PINACA, 5F-MDMB-PICA, FUB-AKB48, 5F-CUMYL-PINACA, and FUB-144**

**MOTION:** Sandy Koresch moved, seconded by John Weitekamp, to approve the preliminary rule draft of CSB 2.66, relating to scheduling 5F-EDMB-PINACA, 5F-MDMB-PICA, FUB-AKB48, 5F-CUMYL-PINACA, and FUB-144, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CSB 2.67 Relating to Scheduling Brexanolone and Solriamfetol**

**MOTION:** Alan Bloom moved, seconded by Yvonne Bellay, to approve the preliminary rule draft of CSB 2.67, relating to scheduling Brexanolone and Solriamfetol, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CSB 2.68 Relating to Scheduling N-Ethylhexedrone, a-PHP, 4-MEAP, MPHP, PV8  
and 4-chloro-a-PVP**

**MOTION:** Peter Kallio moved, seconded by Sandy Koresch, to approve the preliminary rule draft of CSB 2.68, relating to scheduling N-Ethylhexedrone, a-PHP, 4-MEAP, MPHP, PV8 and 4-chloro-a-PVP, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CSB 2.69 Relating to Scheduling Noroxymorphone**

**MOTION:** Alan Bloom moved, seconded by Yvonne Bellay, to approve the preliminary rule draft of CSB 2.69, relating to scheduling Noroxymorphone, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CSB 4 Relating to Designating Gabapentin as a Monitored Drug**

**MOTION:** John Weitekamp moved, seconded by Yvonne Bellay, to approve the preliminary rule draft of CSB 4, relating to designating Gabapentin as a monitored drug for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**CONVENE TO CLOSED SESSION**

**MOTION:** Timothy Westlake moved, seconded by Leonardo Huck, to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), 440.205 and 961.385(2)(c) Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Doug Englebert, Chairperson, read aloud the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Yvonne Bellay-yes; Alan Bloom-yes; Doug Englebert-yes; Leonardo Huck-yes; Peter Kallio-yes; Sandy Koresch-yes; John Weitekamp-yes; and Timothy Westlake-yes. Motion carried unanimously.

The Board convened to Closed Session at 10:50 a.m.

**DELIBERATION ON SUA APPLICATIONS**

**Tina Nichols – Lakeshore Humane Society, Inc.**

**MOTION:** Yvonne Bellay moved, seconded by Peter Kallio, to grant a Special Use Authorization permit to Tina Nichols with the following limitations that the board deems necessary for the protection of the public health and safety: the permit holder shall submit reports of their use and inventory to the board every three months. The reports shall be reviewed by a licensed veterinarian and shall be signed by the holder of the DEA registration number. Failure to submit this report shall be considered a deviation from the permit under CSB 3.08 and may result in immediate revocation of the permit. Reason for

limitation: CSB 3.045(1), an act constituting a violation under CSB 3.08(1).  
Motion carried unanimously.

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**MOTION:** Peter Kallio moved, seconded by Yvonne Bellay, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:17 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF  
VOTING IS APPROPRIATE**

**MOTION:** Peter Kallio moved, seconded by Leonardo Huck, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

**ADJOURNMENT**

**MOTION:** Peter Kallio moved, seconded by Timothy Westlake, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:22 a.m.