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**PREPARED TESTIMONY OF ATTORNEY GENERAL BRAD D. SCHIMEL**

Support for Senate Bill 268, Senate Bill 271, and Senate Bill 272

Senate Committee on Health and Human Services

Tuesday, October 13, 2015

Good morning Madame Chairwoman and members of the Senate Committee on Health and Human Services. Thank you for this opportunity to testify on these three important bills: SB 268, SB 271, and SB 272.

I am Wisconsin Attorney General Brad Schimel. Prior to becoming Attorney General, I served 25 years in the Waukesha County DA's Office. I am here today, not only in my official capacity as the leader of the Wisconsin Department of Justice, but as a concerned father, uncle, and community member.

Over the last decade, Wisconsin has seen a dramatic increase in the illegal use of opiates, both heroin and prescription painkillers. The National Household Survey on Drug Use and Health found that 4.3% of Wisconsin adults abuse opiates in some manner. That represents more than 163,000 people right here in our state!

Those members of the legislature who were serving last session know how much of an impact opiates have had on Wisconsinites in all corners of the state and I thank you again for unanimously passing the H.O.P.E. legislation. In recent years, the Wisconsin Department of Justice and the Wisconsin State Legislature have together made great progress in expanding availability and training for Narcan use, organizing drug take back days, enacting Good Samaritan laws, and encouraging and funding expansion of treatment courts.

These have been very important first steps in addressing our state's devastating opiate epidemic. However, rates of addiction and number of deaths are still on the rise in Wisconsin. Looking back to 2000, we saw opiate overdose deaths more than quadruple, and in the past decade, they increased by more than 250%. Just last month, the Wisconsin Department of Health Services released additional data that show that a drug overdose is now the leading cause of accidental death in

Wisconsin. More than from motor vehicle crashes, breast cancer, colon cancer, influenza, or HIV.

If we saw deaths from any of those causes rise so dramatically, we would do something about it. Perhaps even things that might sound a bit crazy.

Beyond the deaths and destruction directly caused by abuse of opiates, it is also driving dramatic increases in virtually every other type of crime as addicts desperately try to find ways to support their habit: theft, burglary, robbery, identity theft, prostitution and opiates are even often linked to human trafficking.

In fact, Wisconsin is now number two in the nation for pharmacy robberies nationwide. Not per capita. In raw numbers. We have more than California, New York, Florida or Texas. The only other state ahead of us is Indiana, another wholesome Midwestern state.

This addiction is affecting every community in Wisconsin; rural, suburban and urban. There has, rightly, been a great deal of concern in Wisconsin about heroin in our state, but prescription painkillers play a role in the deaths of more people than heroin and cocaine combined.

Even more shocking, nearly 4 of 5 heroin addicts started by first becoming addicted to prescription painkillers. Without prescription opiate abuse, we might not be talking about heroin at all.

This presents us with a great opportunity. Heroin is in our state because there is a tremendous demand for it. The numbers demonstrate, though, that if we can reduce the abuse of prescription opiates, we can greatly reduce the demand for heroin. We cannot continue to allow these potentially dangerous drugs to be diverted for abuse. I'm glad to see the Wisconsin State Legislature, under Representative Nygren's leadership, address the challenges of prescription drug diversion and abuse with these four new laws. These pieces of legislation will help put Wisconsin on the right track.

### **Senate Bill 268**

Under current Wisconsin law, pharmacists have up to seven days to report prescriptions being filled, giving addicts the ability to "doctor shop" before the prior prescription shows up on the Prescription Drug Monitoring Program, or PDMP, site. Law enforcement and the medical community have seen countless addicts game the system by obtaining prescription opiates from several different doctors within a couple days, without any of the doctors able to know that the patient is receiving prescriptions from other prescribers.

Senate Bill 268, and its companion, AB 364, will bring our state's Prescription Drug

Monitoring Program or PDMP in line with many neighboring states, by requiring physicians to report prescriptions within 24 hours. This will help prevent improper access to potentially deadly drugs.

### **Senate Bill 272**

In Wisconsin, certain types of “pain clinics,” institutions that prescribe highly addictive prescription painkillers, often without demonstrable patient need, have little supervision. Senate Bill 272, and its companion, AB 366, will put safeguards in place to have additional oversight by the Department of Health Services and will ensure proper guidelines are in place and strictly adhered to.

### **Senate Bill 271**

Similarly, Methadone Clinics operating in our state may provide effective treatment to some patients, but little information is collected and shared with authorities, making a full assessment of the clinics’ effectiveness in helping addicts stay sober essentially impossible. Senate Bill 271, and its companion, AB 367, will allow the Department of Health Services to collect data from methadone clinics and requires an annual report to ensure it is being used in an effective way.

### **Conclusion**

The Wisconsin Department of Justice and law enforcement statewide will continue our enforcement efforts. In fact, we have ramped them up, but we cannot arrest our way out of this public health crisis. The Department of Health Services and treatment community will also not be able to address the need to treat tens of thousands of people addicted to opiates. The resources are simply not adequate enough to address the need. These efforts need to be combined with pervasive and powerful prevention efforts. To that end, the Wisconsin Department of Justice and Department of Health Services have kicked off a large-scale prevention campaign to address prescription painkiller abuse. The Wisconsin Hospital Association, the Wisconsin Dental Association, the Wisconsin Medical Society, the Wisconsin Pharmacy Society, and other medical providers have partnered with us to develop the important message presented by this campaign and have also taken steps to educate their members on the dangers of opiate abuse. I am thrilled that the Wisconsin State Legislature is continues to support these efforts to prevent additional Wisconsinites from being harmed by abuse of these drugs which are demonstrated to be very dangerous when used improperly.

Thank you for allowing me the time today to address this body. I am happy to take questions.