

# GENERAL ORDER

## PORT WASHINGTON POLICE DEPARTMENT

SUBJECT:	<b>LAW ENFORCEMENT REPORTS to the PRESCRIPTION DRUG MONITORING PROGRAM (PDMP)</b>	NUMBER:	6.3.1.1
		ISSUED:	11/10/16
SCOPE:	All Sworn Personnel	EFFECTIVE:	11/10/16
DISTRIBUTION:	General Orders Manual	<input type="checkbox"/> RESCINDS	
		<input type="checkbox"/> AMENDS	
REFERENCE:	Wisconsin Statute 961.37 and 961.385(2) (i)	WILEAG 5 <sup>th</sup> EDITION STANDARDS: 6.3.11	

**INDEX AS:** Prescription Drug Monitoring (PDMP)

**PURPOSE:** The purpose of this General Order is to provide employees with information and guidance concerning the mandatory reporting requirements of the Prescription Drug Monitoring Program with regard to certain controlled substance violations.

This Order consists of the following numbered sections:

- I. INTRODUCTION
- II. DEFINITIONS
- III. PROCEDURE
- IV. EXEMPTIONS

### I. INTRODUCTION

- A. Wisconsin Act 268 created Wis. Stat. § 961.37 (enacted March 17, 2016) which contains a provision for mandatory reporting under certain circumstances. It is the policy of this department to report to the Prescription Drug Monitoring Program following the provisions of Wis. Stats. § 961.37 and § 961.385(2) (i) in making the report.

## II. DEFINITIONS

- A. **“Opioid-related drug overdose”** means a condition including extreme physical illness, decreased level of consciousness, respiratory depression, coma, or the ceasing of respiratory or circulatory function resulting from the consumption or use of an opioid, or another substance with which an opioid was combined.
- B. **“Narcotic drug ”** means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:
1. Opium and substances derived from opium, and any compound, derivative or preparation of opium or substances derived from opium, including any of their salts, isomers and salts of isomers that are theoretically possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.
  2. Synthetic opiate, and any derivative of synthetic opiate, including any of their isomers, esters, ethers, esters and ethers of isomers, salts and salts of isomers, esters, ethers and esters and ethers of isomers that are theoretically possible within the specific chemical designation.
  3. Opium poppy, poppy straw, and concentrate of poppy straw.
  4. Any compound, mixture or preparation containing any quantity of any substance included in paragraphs 1 to 3 above.

## III. PROCEDURE

### A. Reporting

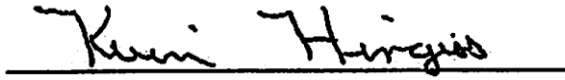
1. Wisconsin Act 268, which became effective on March 18, 2016, creates a duty for law enforcement agencies to submit information to the Wisconsin Prescription Drug Monitoring Program (PDMP) in four specific situations. The situations described in the law are as follows:
  - a. When a law enforcement officer (while acting in an official capacity) **reasonably suspects** that a **violation of the Controlled Substances Act involving a prescribed drug** is occurring or has occurred.
  - b. When a law enforcement officer (while acting in an official capacity) **believes** someone is undergoing or has immediately prior, experienced an **opioid-related drug overdose**.
  - c. When a law enforcement officer (while acting in an official capacity) **believes someone died as a result of using a narcotic drug**.
  - d. When a law enforcement officer (while acting in an official capacity) **receives a report of a stolen controlled substance prescription**.

2. When any of the above situations occur, the investigating officer shall create an incident report for the department. The department is required to submit to the PDMP, on the ACT 268 form, the applicable data from the list below:
  - a. The name and date of birth of the individual who is suspected of violating the Controlled Substances Act.
  - b. The name and date of birth of the individual who experienced an opioid-related drug overdose.
  - c. The name and date of birth of the individual who died as a result of using a narcotic drug.
  - d. The name and date of birth of the individual who filed the report of a stolen controlled-substance prescription.
  - e. The name and date of birth of the individual for whom the prescription drug involved in the suspected violation, drug overdose, or death was prescribed.
  - f. If a prescription medicine container or prescription order was in the vicinity of the suspected violation, drug overdose, or death or if a controlled-substance prescription was reported stolen, the following:
    - i. The name of the prescriber.
    - ii. The prescription number.
    - iii. The name of the drug as it appears on the prescription order or prescription medicine container.
3. The required information will be supplied to the PDMP on the Act 268 reporting form. This form will be completed and turned over to the Department's Crime Analyst, who will submit it electronically.
  - a. The electronic version will be completed, and submitted to the PDMP web site.
  - b. If necessary, the form can be downloaded from [http://165.189.64.111/Documents/PDMP/Act\\_268.pdf](http://165.189.64.111/Documents/PDMP/Act_268.pdf) or from the secure area of WILENET, by logging in and going to the Wisconsin Prescription Drug Monitoring Program.
  - c. In accordance with the law, PDMP staff will disseminate the relevant information from each form to affected healthcare professionals who utilize the PDMP.

## B. Exemptions

1. If there is a concern that submitting any information under sub. (2) may interfere with an active criminal investigation, the department may postpone the reporting action until the investigation concludes.
2. In the event there is an active investigation, the investigating officer shall notify a supervisor of the need for a temporary exemption.

**APPROVED:**

A handwritten signature in black ink that reads "Kevin Hingiss". The signature is written in a cursive style and is positioned above a solid horizontal line.

Chief Kevin Hingiss

**DATE:**

1/23/19

Revised 1/23/19

Revised 1/16/19