

*House Judiciary 1/20/86 Ltr. Pans 3/12 (p. 724)*

Senate File 2041

Judiciary and Law Enforcement: Knapp, Chair; Kremer and Siegrist.

SENATE FILE **2041**  
BY COMMITTEE ON JUDICIARY

FILED JAN 14 1986

Passed Senate, Date 1-20-86 (p. 95) Passed House, Date 3-27-86 (p. 103)  
Vote: Ayes 41 Nays 0 Vote: Ayes 96 Nays 0  
Approved April 7, 1986 (p. 1091)

**A BILL FOR**

1 An Act relating to schedule I and schedule II controlled sub-  
2 stances regulated by the board of pharmacy examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2041

1 Section 1. Section 204.204, subsection 4, lettered  
2 paragraph u, Code Supplement 1985, is amended to read as  
3 follows:

4 u. Tetrahydrocannabinols, except as otherwise provided by  
5 rules of the board of pharmacy examiners for medicinal  
6 purposes. Synthetic equivalents of the substances contained  
7 in the plant, or in the resinous extractives of Cannabis sp.,  
8 and synthetic substances, derivatives, and their isomers with  
9 similar chemical structure and pharmacological activity such  
10 as the following:  $\Delta$  1 cis or trans tetrahydrocannabinol, and  
11 their optical isomers, excluding dronabinol in sesame oil and  
12 encapsulated in a soft gelatin capsule in a drug product  
13 approved by the United States food and drug administration.  $\Delta$   
14 6 cis or trans tetrahydrocannabinol, and their optical  
15 isomers.  $\Delta$  3,4 cis or trans tetrahydrocannabinol, and their  
16 optical isomers. (Since nomenclature of these substances is  
17 not internationally standardized, compounds of these  
18 structures, regardless of numerical designation of atomic  
19 positions covered.)

20 Sec. 2. Section 204.204, Code Supplement 1985, is amended  
21 by adding the following new subsection:

22 NEW SUBSECTION. 9. OTHER MATERIALS. Any material,  
23 compound, mixture, or preparation which contains any quantity  
24 of the following substances:

- 25 a. 3-Methylfentanyl (N-[3-Methyl-1-(2-Phenylethyl)-4-  
26 piperidyl]-N-phenylpropanamide), its optical and geometric  
27 isomers, salts, and salts of isomers.
- 28 b. 3,4-Methylenedioxymethamphetamine (MDMA), its optical,  
29 positional and geometric isomers, salts, and salts of isomers.
- 30 c. 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its  
31 optical isomers, salts, and salts of isomers.
- 32 d. 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine  
33 (PEPAP) its optical isomers, salts, and salts of isomers.
- 34 e. N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-  
35 phenylacetamide (acetyl-alpha-methylfentanyl), its optical

1 isomers, salts, and salts of isomers.

2 f. N-[1-(1-methyl-2-(2-thienyl)ethyl-4-piperidyl)]-N-  
3 phenylpropanamide (alpha-methylthiofentanyl), its optical  
4 isomers, salts, and salts of isomers.

5 g. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide  
6 (denzylfentanyl), its optical isomers, salts, and salts of  
7 isomers.

8 h. N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-  
9 phenylpropanamide (beta-hydroxyfentanyl), its optical isomers,  
10 salts, and salts of isomers.

11 i. N-[3-methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-  
12 phenylpropanamide (beta-hydroxy-3-methylfentanyl), its optical  
13 and geometric isomers, salts, and salts of isomers.

14 j. N-[3-methyl-1-(2-(2-thienyl)ethyl-4-piperidyl)]-N-  
15 phenylpropanamide (3-methylthiofentanyl), its optical and  
16 geometric isomers, salts, and salts of isomers.

17 k. N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide  
18 (thenylfentanyl), its optical isomers, salts, and salts of  
19 isomers.

20 l. N-[1-(2-(2-thienyl)ethyl-4-piperidyl)]-N-  
21 phenylpropanamide (thiofentanyl), its optical isomers, salts,  
22 and salts of isomers.

23 Sec. 3. Section 204.206, subsection 2, lettered paragraph  
24 a, unnumbered paragraph 1, Code Supplement 1985, is amended to  
25 read as follows:

26 a. Opium and opiate, and any salt, compound, derivative,  
27 or preparation of opium or opiate, excluding apomorphine,  
28 dextrophan, nalbuphine, nalmefene, naloxone, and naltrexone,  
29 and their respective salts, but including the following:

30 Sec. 4. Section 204.206, subsection 7, Code Supplement  
31 1985, is amended by striking the subsection and inserting in  
32 lieu thereof the following:

33 7. HALLUCINOGENIC SUBSTANCES. Marijuana is deemed to be a  
34 schedule II substance when used for medicinal purposes  
35 pursuant to rules of the board of pharmacy examiners.

1 Dronabinol (synthetic) in sesame oil and encapsulated in a  
2 soft gelatin capsule in a United States food and drug  
3 administration approved drug product. [Some other names for  
4 Dronabinol (6aR Trans)-6a, 7, 8, 10a-Tetrahydro-6, 6, 9-  
5 Trimethyl-3 pentyl-6H-dibenzol [b,d] pyran-1-01 or (-) delta  
6 9-(trans)-tetrahydrocannabinol.]

7 Sec. 5. Section 204.206, Code Supplement 1985, is amended  
8 by adding the following new subsection:

9 NEW SUBSECTION. 8. The board of pharmacy examiners, by  
10 rule, may except any compound, mixture, or preparation  
11 containing any stimulant listed in subsection 4 from the  
12 application of all or any part of this chapter if the  
13 compound, mixture, or preparation contains one or more active  
14 medicinal ingredients not having a stimulant effect on the  
15 central nervous system, and if the admixtures are included in  
16 such combinations, quantity, proportion, or concentration as  
17 to vitiate the potential for abuse of the substances which  
18 have a stimulant or depressant effect on the central nervous  
19 system.

20 EXPLANATION

21 This bill amends the schedules of controlled substances  
22 regulated by the board of pharmacy examiners including:

- 23 1. Excluding dronabinol from hallucinogenic substances  
24 under schedule I when in a drug product approved by the United  
25 States food and drug administration.
- 26 2. Adding certain substances to the schedule I controlled  
27 substances subject to the penalties of manufacturing and  
28 distributing schedule I controlled substances.
- 29 3. Adding nalmefene to substances of vegetable origin or  
30 chemical synthesis under schedule II.
- 31 4. Detailing marijuana and dronabinol in hallucinogenic  
32 substances under schedule II.
- 33 5. Exempting certain substances from the regulation of  
34 stimulants under schedule II.

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## SENATE FILE 2041

AN ACT  
RELATING TO SCHEDULE I AND SCHEDULE II CONTROLLED SUBSTANCES  
REGULATED BY THE BOARD OF PHARMACY EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 204.204, subsection 4, lettered paragraph u, Code Supplement 1985, is amended to read as follows:

u. Tetrahydrocannabinols, except as otherwise provided by rules of the board of pharmacy examiners for medicinal purposes. Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis sp., and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:  $\Delta$  1 cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States food and drug administration.  $\Delta$  6 cis or trans tetrahydrocannabinol, and their optical isomers.  $\Delta$  3,4 cis or trans tetrahydrocannabinol, and their optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these

structures, regardless of numerical designation of atomic positions covered.)

Sec. 2. Section 204.204, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 9. OTHER MATERIALS. Any material, compound, mixture, or preparation which contains any quantity of the following substances:

- a. 3-Methylfentanyl (N-[3-Methyl-1-(2-Phenylethyl)-4-piperidyl]-N-phenylpropanamide), its optical and geometric isomers, salts, and salts of isomers.
- b. 3,4-Methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts, and salts of isomers.
- c. 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts, and salts of isomers.
- d. 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP) its optical isomers, salts, and salts of isomers.
- e. N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide (acetyl-alpha-methylfentanyl), its optical isomers, salts, and salts of isomers.
- f. N-[1-(1-methyl-2-(2-thienyl)ethyl-4-piperidyl)-N-phenylpropanamide (alpha-methylthiofentanyl), its optical isomers, salts, and salts of isomers.
- g. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of isomers.
- h. N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (beta-hydroxyfentanyl), its optical isomers, salts, and salts of isomers.
- i. N-[3-methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (beta-hydroxy-3-methylfentanyl), its optical and geometric isomers, salts, and salts of isomers.
- j. N-[3-methyl-1-(2-(2-thienyl)ethyl-4-piperidyl)-N-phenylpropanamide (3-methylthiofentanyl), its optical and geometric isomers, salts, and salts of isomers.

k. N-[1-(2-terphenyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, salts, and salts of isomers.

l. N-[1-(2-(2-thienyl)ethyl-4-piperidyl)-N-phenylpropanamide (thiofentanyl), its optical isomers, salts, and salts of isomers.

Sec. 3. Section 204.206, subsection 2, lettered paragraph a, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

a. Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

Sec. 4. Section 204.206, subsection 7, Code Supplement 1985, is amended by striking the subsection and inserting in lieu thereof the following:

7. HALLUCINOGENIC SUBSTANCES. Marijuana is deemed to be a schedule II substance when used for medicinal purposes pursuant to rules of the board of pharmacy examiners. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product. (Some other names for Dronabinol (6aR Trans)-6a, 7, 8, 10a-Tetrahydro-6, 6, 9-Trimethyl-3-pentyl-6H-dibenzol [b,d] pyran-1-ol or (-) delta 9-(trans)-tetrahydrocannabinol.)

Sec. 5. Section 204.206, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 8. The board of pharmacy examiners, by rule, may except any compound, mixture, or preparation containing any stimulant listed in subsection 4 from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant effect on the central nervous system, and if the admixtures are included in such combinations, quantity, proportion, or concentration as

to vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2041, Seventy-first General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved April 7 1986

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TERRY E. BRANSTAD  
Governor