

PHARMACY BOARD[657]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 124A.2, the Board of Pharmacy hereby gives Notice of Intended Action to amend Chapter 10, “Controlled Substances,” Iowa Administrative Code.

The amendment was approved at the June 24, 2015, regular meeting of the Board of Pharmacy.

The proposed amendment rescinds rule 657—10.41(124A) in which certain substances are identified and classified as imitation controlled substances. Those substances have been identified and classified by legislative action as controlled substances subject to Iowa Code chapter 124. Rescinding the designation of those substances as imitation controlled substances will eliminate the confusion created by their dual classification as imitation controlled substances, subject to the penalties for unlawful possession of imitation controlled substances, and their classification as controlled substances, subject to different penalties for unlawful possession of controlled substances.

Requests for waiver or variance are not addressed because there are no provisions from which to request a waiver or variance.

Any interested person may present written comments, data, views, and arguments on the proposed amendment not later than 4:30 p.m. on August 15, 2015. Such written materials may be sent to Terry Witkowski, Acting Director/Executive Officer, Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688; or by e-mail to terry.witkowski@iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 124A.2.

The following amendment is proposed.

Rescind and reserve rule **657—10.41(124A)**.