

PHARMACY BOARD[657]

Adopted and Filed

Rule making related to controlled and precursor substances

The Board of Pharmacy hereby amends Chapter 10, “Controlled Substances,” and Chapter 12, “Precursor Substances,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 124.201 and 124B.2(2).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 124.201 and 124B.2(2).

Purpose and Summary

This rule making temporarily adds four substances (three stimulants and one opiate) to Schedule I, excludes one substance from Schedule II, and adds one substance as a precursor substance to the Iowa Controlled Substances Act in response to similar action taken by the federal Drug Enforcement Administration.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on February 8, 2023, as **ARC 6874C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on May 2, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 5, 2023.

The following rule-making action is adopted:

ITEM 1. Amend subrule 10.39(7) as follows:

10.39(7) Amend Iowa Code section 124.204(6) by adding the following new ~~paragraph~~ paragraphs:

- ~~i. 4,4'-Dimethylaminorex. Other names: 4,4'-DMAR;
4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine;
4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine.~~
- j. Amineptine (7-[(10,11-dihydro-5H-dibenzo[alpha,delta]cyclohepten-5-yl)amino]heptanoic acid).
- k. Mesocarb (N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl)carbamidate).
- l. Methiopropamine (N-methyl-1-(thiophen-2-yl)propan-2-amine).

ITEM 2. Adopt the following **new** subrule 10.39(9):

10.39(9) Amend Iowa Code section 124.206(2) "d" by adding the following new subparagraph:

(3) [18\F]FP-CIT.

ITEM 3. Adopt the following **new** subrule 10.39(10):

10.39(10) Amend Iowa Code section 124.204(2) by adding the following new paragraph:

cn. 1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol. Other name: Zipeprol.

ITEM 4. Amend subrule 12.1(1) as follows:

12.1(1) Amend Iowa Code section 124B.2(1) by adding the following new paragraphs:

- ~~ae. 3,4-MDP-2-P-methyl-glycidate (PMK-glycidate) and its optical and geometric isomers.~~
- ~~af. 3,4-MDP-2-P-methyl-glycidic acid (PMK-glycidic acid) and its salts, optical and geometric isomers, and salts of isomers.~~
- ~~ag. Alpha-phenylacetamide (APAA) and its optical isomers.~~
- ah. No change.
- ai. 1-boc-4-AP (tert-butyl 4-(phenylamino)piperidine-1-carboxylate) and its salts.

[Filed 5/4/23, effective 7/5/23]

[Published 5/31/23]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/31/23.