

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF PHARMACY
BILL)

A BILL FOR

1 An Act making changes to the controlled substance schedules,
2 and providing penalties.

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

1 Section 1. Section 124.204, subsection 4, Code 2015, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *al.* 4-methyl-N-ethylcathinone. Other names:
4 4-MEC, 2-(ethylamino)-1-(4-methylphenyl)propan-1-one.

5 NEW PARAGRAPH. *am.* 4-methyl-alpha-
6 pyrrolidinopropiophenone. Other names: 4-MePPP,
7 MePPP, 4-methyl-[alpha]-pyrrolidinopropiophenone,
8 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one.

9 NEW PARAGRAPH. *an.* Alpha-pyrrolidinopentiophenone.
10 Other names: [alpha]-PVP, [alpha]-pyrrolidinovalerophenone,
11 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one.

12 NEW PARAGRAPH. *ao.* Butylone. Other names: bk-MBDB,
13 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one.

14 NEW PARAGRAPH. *ap.* Pentedrone. Other
15 names: [alpha]-methylaminovalerophenone,
16 2-(methylamino)-1-phenylpentan-1-one.

17 NEW PARAGRAPH. *aq.* Pentylone. Other names: bk-MBDP,
18 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one.

19 NEW PARAGRAPH. *ar.* 4-fluoro-N-methylcathinone.
20 Other names: 4-FMC, flephedrone,
21 1-(4-fluorophenyl)-2-(methylamino)propan-1-one.

22 NEW PARAGRAPH. *as.* 3-fluoro-N-methylcathinone. Other
23 names: 3-FMC, 1-(3-fluorophenyl)-2-(methylamino)propan-1-one.

24 NEW PARAGRAPH. *at.* Naphyrone. Other names:
25 naphthylpyrovalerone, 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)
26 pentan-1-one.

27 NEW PARAGRAPH. *au.* Alpha-pyrrolidinobutiophenone. Other
28 names: [alpha]-PBP, 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.

29 Sec. 2. Section 124.204, subsection 9, Code 2015, is amended
30 by adding the following new paragraphs:

31 NEW PARAGRAPH. *g.* Quinolin-8-yl 1-pentyl-1H-indole-
32 3-carboxylate. Other names: PB-22, QUPIC.

33 NEW PARAGRAPH. *h.* Quinolin-8-yl 1-(5-fluoropentyl)-1H-
34 indole-3-carboxylate. Other names: 5-fluoro-PB-22, 5F-PB-22.

35 NEW PARAGRAPH. *i.* N-(1-amino-3-methyl-1-oxobutan-2-yl)-

1 1-(4-fluorobenzyl)-1H-indazole-3-carboxamide. Other name:
2 AB-FUBINACA.

3 NEW PARAGRAPH. *j.* N-(1-amino-3,3-dimethyl-1-oxobutan-
4 2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other name:
5 ADB-PINACA.

6 Sec. 3. Section 124.208, subsection 5, paragraph a,
7 subparagraphs (3) and (4), Code 2015, are amended by striking
8 the subparagraphs.

9 Sec. 4. Section 124.210, subsection 2, Code 2015, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *c.* 2-[(dimethylamino)methyl]-1-
12 (3-methoxyphenyl)cyclohexanol, its salts, optical and geometric
13 isomers, and salts of these isomers (including tramadol).

14 Sec. 5. Section 124.210, subsection 3, Code 2015, is amended
15 by adding the following new paragraphs:

16 NEW PARAGRAPH. *bb.* Alfaxalone.

17 NEW PARAGRAPH. *bc.* Suvorexant.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill modifies the controlled substance schedules, and
22 provides penalties.

23 The bill adds 10 synthetic cathinones and four synthetic
24 cannabinoids to the list of substances classified as schedule I
25 controlled substances. The board of pharmacy has determined
26 that these substances should be classified as schedule I
27 controlled substances because each substance has a high
28 potential for abuse and no accepted medical use in the United
29 States.

30 The bill removes hydrocodone-combination products from
31 the list of substances classified as schedule III controlled
32 substances. Hydrocodone, as a single-entity substance,
33 is currently classified as a schedule II controlled
34 substance. The change under the bill effectively makes all
35 hydrocodone-containing products subject to the controls,

1 security, reporting, and penalty provisions for schedule II
2 controlled substances.

3 The bill also classifies the substance commonly known as
4 tramadol, a centrally acting opioid analgesic, as a schedule
5 IV controlled substance. This substance was previously
6 marketed and distributed as a noncontrolled prescription
7 drug. Effective August 18, 2014, the federal Drug Enforcement
8 Administration classified tramadol as a schedule IV controlled
9 substance under federal law.

10 The bill also classifies alfaxalone, a neurosteroid with
11 central nervous system depressant properties, as a schedule IV
12 controlled substance. The federal Food and Drug Administration
13 recently approved this intravenous injectable anesthetic for
14 use by or on the order of a licensed veterinarian. Alfaxalone
15 is not available by prescription and is approved for use in
16 veterinary practice.

17 The bill classifies suvorexant, a new insomnia treatment
18 approved by the federal Food and Drug Administration,
19 as a schedule IV controlled substance. This is a novel,
20 first-in-class chemical substance and information on actual
21 abuse data is not available. However, data from clinical
22 studies supports the classification in schedule IV.

23 It is a class "C" felony pursuant to Code section
24 124.401(1)(c)(8) for any unauthorized person to violate a
25 provision of Code section 124.401 involving a classified
26 substance placed on schedule I, II, or III pursuant to the
27 bill. A class "C" felony for this particular offense is
28 punishable by confinement for no more than 10 years and a fine
29 of at least \$1,000 but not more than \$50,000.

30 It is an aggravated misdemeanor pursuant to Code section
31 124.401(1)(d) for any unauthorized person to violate a
32 provision of Code section 124.401 involving a classified
33 substance placed on schedule IV pursuant to the bill. An
34 aggravated misdemeanor is punishable by confinement for no more
35 than two years and a fine of at least \$625 but not more than

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1 \$6,250.

2 If a person possesses a controlled substance in violation of
3 Code section 124.401(5) as a first offense, the person commits
4 a serious misdemeanor. A serious misdemeanor is punishable by
5 confinement for no more than one year and a fine of at least
6 \$315 but not more than \$1,875.