

*Substituted for
SF 2110
(P. 442)
3/1/94*

FEB 11 1994
Place On Calendar

HOUSE FILE 2172
BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(SUCCESSOR TO HSB 530)

(COMPANION TO SF 2110 BY
COMMITTEE ON HUMAN RESOURCES)

Passed House, ^(P. 301) Date 2-17-94 Passed Senate, ^(P. 442) Date 3/1/94
Vote: Ayes 95 Nays 0 Vote: Ayes 49 Nays 0
Approved March 7, 1994

A BILL FOR

1 An Act relating to the Iowa uniform controlled substances Act and
2 the Iowa pharmacy practice Act, and making penalties
3 applicable.

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

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HF 2172

1 Section 1. Section 124.101, subsection 18, Code 1993, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 18. "Narcotic drug" means any of the following, whether
5 produced directly or indirectly by extraction from substances
6 of vegetable origin, or independently by means of chemical
7 synthesis, or by a combination of extraction and chemical
8 synthesis:

9 a. Opium, opiates, derivatives of opium and opiates,
10 including their isomers, esters, ethers, salts, and salts of
11 isomers, esters, and ethers whenever the existence of such
12 isomers, esters, ethers, and salts is possible within the
13 specific chemical designation. Such term does not include the
14 isoquinoline alkaloids of opium.

15 b. Poppy straw and concentrate of poppy straw.

16 c. Opium poppy.

17 d. Any compound, mixture, or preparation which contains
18 any quantity of any of the substances referred to in
19 paragraphs "a" through "c".

20 Sec. 2. Section 124.204, subsection 1, Code 1993, is
21 amended to read as follows:

22 1. ~~The-controlled-substances~~ Schedule I shall consist of
23 the drugs and other substances, by whatever official name,
24 common or usual name, chemical name, or brand name designated,
25 listed in this section ~~are-included-in-schedule-I.~~

26 Sec. 3. Section 124.204, subsection 2, paragraph c, Code
27 1993, is amended to read as follows:

28 c. Alphacetylmethadol (except levo-alphacetylmethadol also
29 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
30 LAAM).

31 Sec. 4. Section 124.204, subsection 2, Code 1993, is
32 amended by adding the following new paragraphs:

33 NEW PARAGRAPH. au. Acetyl-alpha-methylfentanyl (N-[1-(1-
34 methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).

35 NEW PARAGRAPH. av. Alpha-methylthiofentanyl (N-[1-methyl-

1 2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).

2 NEW PARAGRAPH. aw. Beta-hydroxyfentanyl (N-[1-(2-hydroxy-
3 2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).

4 NEW PARAGRAPH. ax. 3-Methylfentanyl (N-[3-methyl-1-(2-
5 phenylethyl)-4-piperidyl]-N-phenylpropanamide).

6 NEW PARAGRAPH. ay. 3-Methylthiofentanyl (N-[(3-methyl-1-
7 (2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).

8 NEW PARAGRAPH. az. MPPP (1-methyl-4-phenyl-4-propionoxy-
9 piperidine).

10 NEW PARAGRAPH. ba. Para-fluorofentanyl (N-(4-
11 fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]-propanamide).

12 NEW PARAGRAPH. bb. PEPAP (1-(2-phenethyl)-4-phenyl-4-
13 acetoxypiperidine).

14 NEW PARAGRAPH. bc. Thiofentanyl (N-phenyl-N-[1-(2-
15 thienyl)ethyl-4-piperidinyl]-propanamide).

16 Sec. 5. Section 124.204, subsection 4, paragraph y, Code
17 1993, is amended to read as follows:

18 y. ~~1-(1-(2-thienyl)cyclohexyl)-pyrrolidine~~ 1-[1-(2-
19 thienyl)cyclohexyl]pyrrolidine. Some trade-or other names:
20 PKPy TCPy.

21 Sec. 6. Section 124.204, subsection 4, Code 1993, is
22 amended by adding the following new paragraphs:

23 NEW PARAGRAPH. z. 3,4-methylenedioxyamphetamine
24 (MDMA).

25 NEW PARAGRAPH. aa. 3,4-methylenedioxy-N-ethylamphetamine
26 (also known as N-ethyl-alpha-methyl-
27 3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA).

28 NEW PARAGRAPH. ab. N-hydroxy-3,4-
29 methylenedioxyamphetamine (also known as N-hydroxy-alpha-
30 methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA).

31 NEW PARAGRAPH. ac. 2,5-dimethoxy-4-ethylamphet-amine.
32 Some trade or other names: DOET.

33 Sec. 7. Section 124.204, subsection 6, Code 1993, is
34 amended by adding the following new paragraphs:

35 NEW PARAGRAPH. c. (+-)cis-4-methylaminorex ((+)-cis-4,5-

1 dihydro-4-methyl-5-phenyl-2-oxazolamine).

2 NEW PARAGRAPH. d. N,N-dimethylamphetamine (also known as
3 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-
4 trimethylphenethylamine).

5 NEW PARAGRAPH. e. Cathinone. Some trade or other names:
6 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-
7 aminopropiophenone, and norephedrone.

8 Sec. 8. Section 124.204, subsection 9, Code 1993, is
9 amended by striking the subsection and inserting in lieu
10 thereof the following:

11 9. Other materials. Any material, compound, mixture, or
12 preparation which contains any quantity of the following
13 substances:

14 a. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
15 (denzylfentanyl), its optical isomers, salts and salts of
16 isomers.

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

20 c. Methcathinone. Some other names: 2-(methylamino)-
21 propiophenone; alpha-(methylamino) propiophenone; ephedrone;
22 2-(methylamino)-1-phenylpropan-1-one; alpha-N-
23 methylaminopropiophenone; N-methylcathinone; methylcathinone;
24 monomethylpropion; AL-464; AL-422; AL-463; and UR 1432, its
25 salts, optical isomers, and salts of optical isomers.

26 d. Aminorex. Some other names: aminoxaphen, 2-amino-5-
27 phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine, its
28 salts, optical isomers, and salts of optical isomers.

29 e. Alpha-ethyltryptamine, its optical isomers, salts and
30 salts of isomers. Some other names: etryptamine; alpha-ethyl-1H-
31 indole-3-ethanamine; 3-(2-aminobutyl) indole.

32 Sec. 9. Section 124.206, subsection 3, Code 1993, is
33 amended by adding the following new paragraph:

34 NEW PARAGRAPH. z. Levo-alpha-acetylmethadol. Some other
35 names: levo-alpha-acetylmethadol, levomethadyi acetate, LAAM.

1 Sec. 10. Section 124.206, subsection 7, paragraph b, Code
2 1993, is amended to read as follows:

3 b. Dronabinol (synthetic) in sesame oil and encapsulated
4 in a soft gelatin capsule in a United States food and drug
5 administration approved drug product. †Some other names for
6 dronabinol †6aR-trans†-6a,7,8,10a-tetrahydro-6,6,9-
7 trimethyl-3-pentyl-6H-dibenzo-[b,d]-pyran-1-ol†, or †-†-delta
8 9-(trans)-tetrahydrocannabinol†: (6aR-trans)-6a,7,8,10a-
9 tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
10 or †-†-delta-9-(trans)-tetrahydrocannabinol.†

11 Sec. 11. Section 124.208, subsection 1, Code 1993, is
12 amended to read as follows:

13 1. ~~The controlled substances~~ Schedule III shall consist of
14 the drugs and other substances, by whatever official name,
15 common or usual name, chemical name, or brand name designated,
16 listed in this section are included in schedule III.

17 Sec. 12. Section 124.208, subsection 3, paragraph k,
18 subparagraphs (2) and (3), Code 1993, are amended to read as
19 follows:

20 (2) Some trade or other names for tiletamine: 2-
21 †ethylamino†-2-†2-thienyl†--cyclohexanone 2-(ethylamino)-2-(2-
22 thienyl)-cyclohexanone.

23 (3) Some trade or other names for zolazepam: 4-†2-
24 †fluorophenyl††-6,8-dihydro-1,3,8--trimethylpyraxolo-†3,4-e†
25 †1,4†-diazepin-7†1H†-one-flupyrzapon 4-(2-fluorophenyl)-6,8-
26 dihydro-1,3,8-trimethylpyraxolo-[3,4-e] [1,4]-diazepin-7(1H)-
27 one flupyrzapon.

28 Sec. 13. Section 124.208, subsection 5, paragraph d, Code
29 1993, is amended to read as follows:

30 d. Not more than three hundred milligrams of
31 dihydrocodeinone (another name: hydrocodone) per one hundred
32 milliliters or not more than fifteen milligrams per dosage
33 unit, with one or more active nonnarcotic ingredients in
34 recognized therapeutic amounts.

35 Sec. 14. Section 124.210, subsection 1, Code 1993, is

1 amended to read as follows:

2 1. ~~The-controlled-substances~~ Schedule IV shall consist of
3 the drugs and other substances, by whatever official name,
4 common or usual name, chemical name, or brand name designated,
5 listed in this section ~~are-included-in-schedule-iv.~~

6 Sec. 15. Section 124.210, subsection 3, Code 1993, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. av. Zolpidem.

9 Sec. 16. Section 124.212, subsection 1, Code 1993, is
10 amended to read as follows:

11 1. ~~The-controlled-substances~~ Schedule V shall consist of
12 the drugs and other substances, by whatever official name,
13 common or usual name, chemical name, or brand name designated,
14 listed in this section ~~are-included-in-schedule-v.~~

15 Sec. 17. Section 124.212, subsection 4, Code 1993, is
16 amended to read as follows:

17 4. Stimulants. Unless specifically excepted or listed in
18 another schedule, any material, compound, mixture, or
19 preparation which contains any quantity of the following
20 ~~substances-having-a-stimulant-effect-on-the-central-nervous~~
21 ~~system~~ pyrovalerone, including its salts, isomers, and salts
22 of isomers:

23 a.--Propylhexedrine-

24 b.--Pyrovalerone-

25 Sec. 18. Section 155A.13A, subsection 2, Code 1993, is
26 amended to read as follows:

27 2. LICENSE RENEWAL. A nonresident pharmacy shall renew
28 its license on or before January 1 annually. In order to
29 renew a nonresident pharmacy license, a nonresident pharmacy
30 shall submit a renewal fee as determined by the board, and
31 shall fulfill all of the requirements of subsection 1,
32 paragraphs "b" through "e". A nonresident pharmacy shall pay
33 an additional fee for late renewal ~~for-failure-to-renew-a~~
34 ~~license-within-thirty-one-days-after-expiration-of-the-license~~
35 as determined by the board.

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EXPLANATION

This bill amends the definition of narcotic drug to expand the description of the types, salts, compounds, derivatives, and preparations of opium and opiates that are included in the definition. Opium poppy is listed separately from poppy straw and its concentrates under the bill. The bill amends introductory paragraphs in four of the sections that contain the lists of controlled substances to make the terminology used in all sections uniform. Some new substances are added to schedule I, and methcathinone, aminorex, cathinone, and DOET are placed under schedule I. Levo-alphaacetylmethadol is expressly excluded from schedule I and included in schedule II. The designations of certain scheduled substances are changed to correct typographical errors.

Requirements relating to the payment of a fee by nonresident pharmacies for late renewal of nonresident pharmacy licenses are changed to provide for board determination of the fee payment.

HSB 530

Judiciary & Law Enforcement

DINKLA, CHAIR

LARSON

~~BEATTY~~

SENATE/HOUSE FILE 2172

BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY EXAMINERS BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the Iowa uniform controlled substances Act and
2 the Iowa pharmacy practice Act, and making penalties
3 applicable.

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

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1 Section 1. Section 124.101, subsection 18, Code 1993, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 18. "Narcotic drug" means any of the following, whether
5 produced directly or indirectly by extraction from substances
6 of vegetable origin, or independently by means of chemical
7 synthesis, or by a combination of extraction and chemical
8 synthesis:

9 a. Opium, opiates, derivatives of opium and opiates,
10 including their isomers, esters, ethers, salts, and salts of
11 isomers, esters, and ethers whenever the existence of such
12 isomers, esters, ethers, and salts is possible within the
13 specific chemical designation. Such term does not include the
14 isoquinoline alkaloids of opium.

15 b. Poppy straw and concentrate of poppy straw.

16 c. Opium poppy.

17 d. Any compound, mixture, or preparation which contains
18 any quantity of any of the substances referred to in
19 paragraphs "a" through "c".

20 Sec. 2. Section 124.204, subsection 1, Code 1993, is
21 amended to read as follows:

22 1. ~~The controlled substances~~ Schedule I shall consist of
23 the drugs and other substances, by whatever official name,
24 common or usual name, chemical name, or brand name designated,
25 listed in this section ~~are included in schedule I.~~

26 Sec. 3. Section 124.204, subsection 2, paragraph c, Code
27 1993, is amended to read as follows:

28 c. Alphacetylmethadol (except levo-alphacetylmethadol also
29 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
30 LAAM).

31 Sec. 4. Section 124.204, subsection 2, Code 1993, is
32 amended by adding the following new paragraphs:

33 NEW PARAGRAPH. au. Acetyl-alpha-methylfentanyl (N-[1-(1-
34 methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).

35 NEW PARAGRAPH. av. Alpha-methylthiofentanyl (N-[1-methyl-

1 2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).

2 NEW PARAGRAPH. aw. Beta-hydroxyfentanyl (N-[1-(2-hydroxy-
3 2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).

4 NEW PARAGRAPH. ax. 3-Methylfentanyl (N-[3-methyl-1-(2-
5 phenylethyl)-4-piperidyl]-N-phenylpropanamide).

6 NEW PARAGRAPH. ay. 3-Methylthiofentanyl (N-[(3-methyl-1-
7 (2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).

8 NEW PARAGRAPH. az. MPPP (1-methyl-4-phenyl-4-propionoxy-
9 piperidine).

10 NEW PARAGRAPH. ba. Para-fluorofentanyl (N-(4-
11 fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]-propanamide).

12 NEW PARAGRAPH. bb. PEPAP (1-(2-phenethyl)-4-phenyl-4-
13 acetoxypiperidine).

14 NEW PARAGRAPH. bc. Thiofentanyl (N-phenyl-N-[1-(2-
15 thienyl)ethyl-4-piperidinyl]-propanamide).

16 Sec. 5. Section 124.204, subsection 4, paragraph y, Code
17 1993, is amended to read as follows:

18 y. ~~1-(1-(2-thienyl)cyclohexyl)pyrrolidine~~ 1-[1-(2-
19 thienyl)cyclohexyl]pyrrolidine. Some trade-or other names:

20 ~~TKPy~~ TCPy.

21 Sec. 6. Section 124.204, subsection 4, Code 1993, is
22 amended by adding the following new paragraphs:

23 NEW PARAGRAPH. z. 3,4-methylenedioxymethamphetamine
24 (MDMA).

25 NEW PARAGRAPH. aa. 3,4-methylenedioxy-N-ethylamphetamine
26 (also known as N-ethyl-alpha-methyl-
27 3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA).

28 NEW PARAGRAPH. ab. N-hydroxy-3,4-
29 methylenedioxyamphetamine (also known as N-hydroxy-alpha-
30 methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA).

31 NEW PARAGRAPH. ac. 2,5-dimethoxy-4-ethylamphet-amine.
32 Some trade or other names: DOET.

33 Sec. 7. Section 124.204, subsection 6, Code 1993, is
34 amended by adding the following new paragraphs:

35 NEW PARAGRAPH. c. (+-)cis-4-methylaminorex ((+)-)cis-4,5-

1 dihydro-4-methyl-5-phenyl-2-oxazolamine).

2 NEW PARAGRAPH. d. N,N-dimethylamphetamine (also known as
3 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-
4 trimethylphenethylamine).

5 NEW PARAGRAPH. e. Cathinone. Some trade or other names:
6 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-
7 aminopropiophenone, and norephedrone.

8 Sec. 8. Section 124.204, subsection 9, Code 1993, is
9 amended by striking the subsection and inserting in lieu
10 thereof the following:

11 9. Other materials. Any material, compound, mixture, or
12 preparation which contains any quantity of the following
13 substances:

14 a. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
15 (denzylfentanyl), its optical isomers, salts and salts of
16 isomers.

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

20 c. Methcathinone. Some other names: 2-(methylamino)-
21 propiophenone; alpha-(methylamino) propiophenone; ephedrone;
22 2-(methylamino)-1-phenylpropan-1-one; alpha-N-
23 methylaminopropiophenone; N-methylcathinone; methylcathinone;
24 monomethylpropion; AL-464; AL-422; AL-463; and UR 1432, its
25 salts, optical isomers, and salts of optical isomers.

26 d. Aminorex. Some other names: aminoxaphen, 2-amino-5-
27 phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine, its
28 salts, optical isomers, and salts of optical isomers.

29 e. Alpha-ethyltryptamine, its optical isomers, salts and
30 salts of isomers. Some other names: etryptamine; a-ethyl-1H-
31 indole-3-ethanamine; 3-(2-aminobutyl) indole.

32 Sec. 9. Section 124.206, subsection 3, Code 1993, is
33 amended by adding the following new paragraph:

34 NEW PARAGRAPH. z. Levo-alpha-acetylmethadol. Some other
35 names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM.

1 Sec. 10. Section 124.206, subsection 7, paragraph b, Code
2 1993, is amended to read as follows:

3 b. Dronabinol (synthetic) in sesame oil and encapsulated
4 in a soft gelatin capsule in a United States food and drug
5 administration approved drug product. [Some other names for
6 dronabinol {6aR-trans}-6a,7,8,10a-tetrahydro-6,6,9-
7 trimethyl-3-pentyl-6H-dibenzo-{b,d}-pyran-1-ol, or (-)-delta
8 9-(trans)-tetrahydrocannabinol; (6aR-trans)-6a,7,8,10a-
9 tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo{b,d}pyran-1-ol,
10 or (-)-delta-9-(trans)-tetrahydrocannabinol.]

11 Sec. 11. Section 124.208, subsection 1, Code 1993, is
12 amended to read as follows:

13 1. The controlled substances Schedule III shall consist of
14 the drugs and other substances, by whatever official name,
15 common or usual name, chemical name, or brand name designated,
16 listed in this section are included in schedule III.

17 Sec. 12. Section 124.208, subsection 3, paragraph k,
18 subparagraphs (2) and (3), Code 1993, are amended to read as
19 follows:

20 (2) Some trade or other names for tiletamine: 2-
21 {ethylamino}-2-{2-thienyl}-cyclohexanone 2-(ethylamino)-2-(2-
22 thienyl)-cyclohexanone.

23 (3) Some trade or other names for zolazepam: 4-{2-
24 fluorophenyl}-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
25 {1,4}-diazepin-7(1H)-one flupyrzapon 4-(2-fluorophenyl)-6,8-
26 dihydro-1,3,8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-
27 one flupyrzapon.

28 Sec. 13. Section 124.208, subsection 5, paragraph d, Code
29 1993, is amended to read as follows:

30 d. Not more than three hundred milligrams of
31 dihydrocodeinone (another name: hydrocodone) per one hundred
32 milliliters or not more than fifteen milligrams per dosage
33 unit, with one or more active nonnarcotic ingredients in
34 recognized therapeutic amounts.

35 Sec. 14. Section 124.210, subsection 1, Code 1993, is

1 amended to read as follows:

2 1. ~~The-controlled-substances~~ Schedule IV shall consist of
3 the drugs and other substances, by whatever official name,
4 common or usual name, chemical name, or brand name designated,
5 listed in this section ~~are-included-in-schedule-IV.~~

6 Sec. 15. Section 124.210, subsection 3, Code 1993, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. av. Zolpidem.

9 Sec. 16. Section 124.212, subsection 1, Code 1993, is
10 amended to read as follows:

11 1. ~~The-controlled-substances~~ Schedule V shall consist of
12 the drugs and other substances, by whatever official name,
13 common or usual name, chemical name, or brand name designated,
14 listed in this section ~~are-included-in-schedule-V.~~

15 Sec. 17. Section 124.212, subsection 4, Code 1993, is
16 amended to read as follows:

17 4. Stimulants. Unless specifically excepted or listed in
18 another schedule, any material, compound, mixture, or
19 preparation which contains any quantity of the-following
20 ~~substances-having-a-stimulant-effect-on-the-central-nervous~~
21 system pyrovalerone, including its salts, isomers, and salts
22 of isomers.

23 a. ~~Propylhexedrine.~~

24 b. ~~Pyrovalerone.~~

25 Sec. 18. Section 155A.13A, subsection 2, Code 1993, is
26 amended to read as follows:

27 2. LICENSE RENEWAL. A nonresident pharmacy shall renew
28 its license on or before January 1 annually. In order to
29 renew a nonresident pharmacy license, a nonresident pharmacy
30 shall submit a renewal fee as determined by the board, and
31 shall fulfill all of the requirements of subsection 1,
32 paragraphs "b" through "e". A nonresident pharmacy shall pay
33 an additional fee for late renewal ~~for-failure-to-renew-a~~
34 license-within-thirty-one-days-after-expiration-of-the-license
35 as determined by the board.

1

EXPLANATION

2 This bill amends the definition of narcotic drug to expand
3 the description of the types, salts, compounds, derivatives,
4 and preparations of opium and opiates that are included in the
5 definition. Opium poppy is listed separately from poppy straw
6 and its concentrates under the bill. The bill amends
7 introductory paragraphs in four of the sections that contain
8 the lists of controlled substances to make the terminology
9 used in all sections uniform. Some new substances are added
10 to schedule I, and methcathinone, aminorex, cathinone, and
11 DOET are placed under schedule I. Levo-alphaacetylmethadol is
12 expressly excluded from schedule I and included in schedule
13 II. The designations of certain scheduled substances are
14 changed to correct typographical errors.

15 Requirements relating to the payment of a fee by
16 nonresident pharmacies for late renewal of nonresident
17 pharmacy licenses are changed to provide for board
18 determination of the fee payment.

19

BACKGROUND STATEMENT

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SUBMITTED BY THE AGENCY

21 This bill is needed so that the provisions of the Iowa
22 uniform controlled substances Act, contained in Iowa Code
23 chapter 124, and the federal Uniform Controlled Substances Act
24 are as similar as possible, in order to achieve effective
25 regulation and enforcement. The revision to the pharmacy
26 practice Act, contained in chapter 155A, provides consistency
27 among requirements for late renewal of licenses issued by the
28 board.

29 The purpose of the bill is to ensure uniformity between the
30 Iowa uniform controlled substances Act and the federal Uniform
31 Controlled Substances Act and to ensure uniform treatment of
32 all licensees seeking late renewal of licenses.

33 The intent of the bill is to amend chapter 124 to include
34 recent amendments to the federal Uniform Controlled Substances
35 Act and to amend chapter 155A to provide uniform treatment of

1 Iowa licensees seeking late renewal of licenses.

2 The bill is intended to prevent general problems which may
3 occur when state and federal laws conflict. The bill is also
4 intended to remove the potential for special treatment of
5 nonresident pharmacy licensees by removing reference to a
6 specific grace period for late renewal of the license, which
7 is not provided for other licensees. The bill does not
8 address any specific problems.

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HOUSE FILE 2172

AN ACT

RELATING TO THE IOWA UNIFORM CONTROLLED SUBSTANCES ACT AND THE IOWA PHARMACY PRACTICE ACT, AND MAKING PENALTIES APPLICABLE.

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

Section 1. Section 124.101, subsection 18, Code 1993, is amended by striking the subsection and inserting in lieu thereof the following:

18. "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:

a. Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation. Such term does not include the isoquinoline alkaloids of opium.

b. Poppy straw and concentrate of poppy straw.

c. Opium poppy.

d. Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in paragraphs "a" through "c".

Sec. 2. Section 124.204, subsection 1, Code 1993, is amended to read as follows:

1. ~~The controlled substances Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section are included in schedule I.~~

Sec. 3. Section 124.204, subsection 2, paragraph c, Code 1993, is amended to read as follows:

c. Alphacetylmethadol [except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM].

Sec. 4. Section 124.204, subsection 2, Code 1993, is amended by adding the following new paragraphs:

NEW PARAGRAPH. au. Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).

NEW PARAGRAPH. av. Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).

NEW PARAGRAPH. aw. Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).

NEW PARAGRAPH. ax. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidinyl]-N-phenylpropanamide).

NEW PARAGRAPH. ay. 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide]).

NEW PARAGRAPH. az. MPPP (1-methyl-4-phenyl-4-propionoxy-piperidine).

NEW PARAGRAPH. ba. Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]-propanamide).

NEW PARAGRAPH. bb. PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine).

NEW PARAGRAPH. bc. Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).

Sec. 5. Section 124.204, subsection 4, paragraph y, Code 1993, is amended to read as follows:

y. ~~1-(1-(2-thienyl)cyclohexyl)pyrrolidine 1-[1-(2-thienyl)cyclohexyl]pyrrolidine.~~ Some trade or other names: ~~TRP, TCPy.~~

Sec. 6. Section 124.204, subsection 4, Code 1993, is amended by adding the following new paragraphs:

NEW PARAGRAPH. z. 3,4-methylenedioxy-n-methylamphetamine (MDMA).

NEW PARAGRAPH. aa. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4-methylenedioxyphenethylamine, N-ethyl MDA, NDE, MDEA).

NEW PARAGRAPH. ab. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA).

NEW PARAGRAPH. ac. 2,5-dimethoxy-4-ethylamphet-amine.
Some trade or other names: DOET.

Sec. 7. Section 124.204, subsection 6, Code 1993, is amended by adding the following new paragraphs:

NEW PARAGRAPH. c. (+)cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).

NEW PARAGRAPH. d. N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine).

NEW PARAGRAPH. e. Cathinone. Some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone.

Sec. 8. Section 124.204, subsection 9, Code 1993, is amended by striking the subsection and inserting in lieu thereof the following:

9. Other materials. Any material, compound, mixture, or preparation which contains any quantity of the following substances:

a. N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (denzylfentanyl), its optical isomers, salts and salts of isomers.

b. N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers.

c. Methcathinone. Some other names: 2-(methylamino)-propiophenone; alpha-(methylamino) propiophenone; ephedrone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; N-methylcathinone; methylcathinone; monomethylpropion; AL-464; AL-422; AL-463; and UR 1432, its salts, optical isomers, and salts of optical isomers.

d. Aminorex. Some other names: aminoxaphen, 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine, its salts, optical isomers, and salts of optical isomers.

e. Alpha-ethyltryptamine, its optical isomers, salts and salts of isomers. Some other names: etryptamine; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole.

Sec. 9. Section 124.206, subsection 3, Code 1993, is amended by adding the following new paragraph:

NEW PARAGRAPH. z. Levo-alpha-acetylmethadol. Some other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM.

Sec. 10. Section 124.206, subsection 7, paragraph b, Code 1993, is amended to read as follows:

b. 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,7,7,8,10a-tetrahydro-6,7,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol; or (-)-delta-9-(trans)-tetrahydrocannabinol; (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)-tetrahydrocannabinol.)

Sec. 11. Section 124.208, subsection 1, Code 1993, is amended to read as follows:

1. ~~The controlled substances Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section are included in schedule III.~~

Sec. 12. Section 124.208, subsection 3, paragraph k, subparagraphs (2) and (3), Code 1993, are amended to read as follows:

(2) Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.

(3) Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,7,8-dihydro-1,3,7,8-trimethylpyrazolo-(3,4-e)(1,4)-diazepin-7(1H)-one-flupyrzazon 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e)(1,4)-diazepin-7(1H)-one flupyrzazon.

Sec. 13. Section 124.208, subsection 5, paragraph d, Code 1993, is amended to read as follows:

d. Not more than three hundred milligrams of dihydrocodeinone (another name: hydrocodone) per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.

Sec. 14. Section 124.210, subsection 1, Code 1993, is amended to read as follows:

1. ~~The controlled substances Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section are included in schedule IV.~~

Sec. 15. Section 124.210, subsection 3, Code 1993, is amended by adding the following new paragraph:

NEW PARAGRAPH. av. Zolpidem.

Sec. 16. Section 124.212, subsection 1, Code 1993, is amended to read as follows:

1. ~~The controlled substances Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section are included in schedule V.~~

Sec. 17. Section 124.212, subsection 4, Code 1993, is amended to read as follows:

4. Stimulants. Unless specifically excepted or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of ~~the following substances having a stimulant effect on the central nervous system pyrovalerone~~, including its salts, isomers, and salts of isomers:

a---Propylhexedrine

b---Pyrovalerone

Sec. 18. Section 155A.13A, subsection 2, Code 1993, is amended to read as follows:

2. LICENSE RENEWAL. A nonresident pharmacy shall renew its license on or before January 1 annually. In order to renew a nonresident pharmacy license, a nonresident pharmacy shall submit a renewal fee as determined by the board, and shall fulfill all of the requirements of subsection 1, paragraphs "b" through "e". A nonresident pharmacy shall pay an additional fee for late renewal ~~for failure to renew a license within thirty-one days after expiration of the license~~ as determined by the board.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2172, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved March 7, 1994

TERRY E. BRANSTAD
Governor