

Senate Study Bill 3004 - Introduced

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, and including an effective date
3 provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.204, subsection 4, Code 2016, 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 2016, 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 NEW PARAGRAPH. *k.* N-(1-amino-3-methyl-1-oxobutan-2-yl)-
7 1-(cyclohexylmethyl)-1H-indazole-3-carboxamide. Other name:
8 AB-CHMINACA.

9 NEW PARAGRAPH. *l.* N-(1-amino-3-methyl-1-oxobutan-2-yl)-
10 1-pentyl-1H-indazole-3-carboxamide. Other name: AB-PINACA.

11 NEW PARAGRAPH. *m.* [1-(5-fluoropentyl)-1H-indazol-3-yl]
12 (naphthalen-1-yl)methanone. Other name: THJ-2201.

13 NEW PARAGRAPH. *n.* N-(1-phenethylpiperidin-4-yl)-N-
14 phenylacetamide. Other name: acetyl fentanyl.

15 NEW PARAGRAPH. *o.* N-(1-amino-3,3-dimethyl-1-oxobutan-
16 2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide. Other
17 names: MAB-CHMINACA; ADB-CHMINACA.

18 Sec. 3. Section 124.206, subsection 2, paragraph a,
19 unnumbered paragraph 1, Code 2016, is amended to read as
20 follows:

21 Opium and opiate, and any salt, compound, derivative,
22 or preparation of opium or opiate, excluding apomorphine,
23 thebaine-derived butorphanol, dextrorphan, nalbuphine,
24 nalmefene, naloxegol, naloxone, and naltrexone, and their
25 respective salts, but including the following:

26 Sec. 4. Section 124.206, subsection 2, paragraph d, Code
27 2016, is amended to read as follows:

28 *d.* Coca leaves and any salt, compound, derivative, or
29 preparation of coca leaves. ~~Decocainized coca leaves or~~
30 ~~extractions of coca leaves, which extractions do not contain~~
31 ~~cocaine or ecgonine, are excluded from this paragraph. The~~
32 ~~following substances and their salts, optical and geometric~~
33 ~~isomers, derivatives, and salts of derivatives and optical and~~
34 ~~geometric isomers, and, including cocaine and ecgonine and~~
35 their salts, isomers, derivatives, and salts of isomers and

1 derivatives, and any salt, compound, derivative, or preparation
2 thereof that is chemically equivalent or identical to any of
3 such substances, are included in this paragraph except that the
4 substances shall not include:

5 (1) Cocaine Decocainized coca leaves or extractions of coca
6 leaves, which extractions do not contain cocaine or ecgonine.

7 (2) Ecgonine [123I]ioflupane.

8 Sec. 5. Section 124.208, subsection 5, paragraph a,
9 subparagraphs (3) and (4), Code 2016, are amended by striking
10 the subparagraphs.

11 Sec. 6. Section 124.210, subsection 2, Code 2016, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. c. 2-[(dimethylamino)methyl]-1-
14 (3-methoxyphenyl)cyclohexanol, its salts, optical and geometric
15 isomers, and salts of these isomers (including tramadol).

16 Sec. 7. Section 124.210, subsection 3, Code 2016, is amended
17 by adding the following new paragraphs:

18 NEW PARAGRAPH. bb. Alfaxalone.

19 NEW PARAGRAPH. bc. Suvorexant.

20 Sec. 8. Section 124.210, subsection 7, Code 2016, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. c. Eluxadoline (5-[[[(2S)-2-amino-
23 3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1-
24 (4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic
25 acid) (including its optical isomers) and its salts, isomers,
26 and salts of isomers.

27 Sec. 9. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
28 immediate importance, takes effect upon enactment.

29 EXPLANATION

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

32 This bill modifies the controlled substance schedules, and
33 provides penalties.

34 The bill adds 10 synthetic cathinones and eight synthetic
35 cannabinoids and acetyl fentanyl to the list of substances

1 classified as schedule I controlled substances. The board
2 of pharmacy has determined that these substances should be
3 classified as schedule I controlled substances because each
4 substance has a high potential for abuse and no accepted
5 medical use in the United States.

6 The bill removes hydrocodone-combination products from
7 the list of substances classified as schedule III controlled
8 substances. Hydrocodone, as a single-entity substance,
9 is currently classified as a schedule II controlled
10 substance. The change under the bill effectively makes all
11 hydrocodone-containing products subject to the controls,
12 security, reporting, and penalty provisions for schedule II
13 controlled substances.

14 The bill removes naloxegol, a new molecular entity and
15 derivative of naloxone, from control as a schedule III
16 controlled substance. The federal food and drug administration
17 recently approved naloxegol for the treatment of opioid-induced
18 constipation in adults with chronic noncancer pain. The bill
19 also removes [\123\I]ioflupane from control as a schedule
20 II controlled substance. This substance is a new molecular
21 entity and is the active pharmaceutical ingredient in the
22 drug DaTscan, recently approved by the federal food and drug
23 administration for use in diagnosis of patients suspected of
24 Parkinson's disease.

25 The bill also classifies the substance commonly known as
26 tramadol, a centrally acting opioid analgesic, as a schedule
27 IV controlled substance. This substance was previously
28 marketed and distributed as a noncontrolled prescription
29 drug. Effective August 18, 2014, the federal drug enforcement
30 administration classified tramadol as a schedule IV controlled
31 substance under federal law.

32 The bill also classifies alfaxalone, a neurosteroid with
33 central nervous system depressant properties, as a schedule IV
34 controlled substance. The federal food and drug administration
35 recently approved this intravenous injectable anesthetic for

1 use by or on the order of a licensed veterinarian. Alfaxalone
2 is not available by prescription and is approved for use in
3 veterinary practice.

4 The bill classifies suvorexant, a new insomnia treatment
5 approved by the federal food and drug administration, as a
6 schedule IV controlled substance.

7 The bill classifies eluxadoline, a new entity with central
8 nervous system opioid properties recently approved by the
9 federal food and drug administration for the treatment of
10 irritable bowel syndrome with diarrhea, as a schedule IV
11 controlled substance.

12 It is a class "C" felony pursuant to Code section
13 124.401(1)(c)(8) for any unauthorized person to violate a
14 provision of Code section 124.401 involving a classified
15 substance placed on schedule I, II, or III pursuant to the
16 bill. A class "C" felony for this particular offense is
17 punishable by confinement for no more than 10 years and a fine
18 of at least \$1,000 but not more than \$50,000.

19 It is an aggravated misdemeanor pursuant to Code section
20 124.401(1)(d) for any unauthorized person to violate a
21 provision of Code section 124.401 involving a classified
22 substance placed on schedule IV pursuant to the bill. An
23 aggravated misdemeanor is punishable by confinement for no more
24 than two years and a fine of at least \$625 but not more than
25 \$6,250.

26 If a person possesses a controlled substance in violation of
27 Code section 124.401(5) as a first offense, the person commits
28 a serious misdemeanor. A serious misdemeanor is punishable by
29 confinement for no more than one year and a fine of at least
30 \$315 but not more than \$1,875.

31 The bill takes effect upon enactment.