

**House Study Bill 140 - Introduced**

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

**A BILL FOR**

1 An Act relating to controlled substances, including amending  
2 information collection and reporting requirements under  
3 the Iowa prescription monitoring program, amending the  
4 controlled substance schedules, removing certain references  
5 to marijuana, making penalties applicable, and including  
6 effective date provisions.

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

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DIVISION I

IOWA PRESCRIPTION MONITORING PROGRAM INFORMATION

Section 1. Section 124.554, subsection 1, paragraph g, Code 2019, is amended to read as follows:

~~g. Including all schedule schedules II, III, and IV controlled substances, those substances in schedules III and IV that the advisory council and board determine can be addictive or fatal if not taken under the proper care and direction of a prescribing practitioner, and schedule V controlled substances including when dispensed by a pharmacist without a prescription, except for sales of pseudoephedrine which are reported to the real-time electronic repository, opioid antagonists, and other prescription substances that the board and advisory council determine can be addictive or fatal if not taken under the proper care and direction of a prescribing practitioner.~~

Sec. 2. Section 124.554, subsection 2, unnumbered paragraph 1, Code 2019, is amended to read as follows:

Beginning ~~January~~ February 1, 2007 2020, and annually by ~~January~~ February 1 thereafter, the board and advisory council shall present to the general assembly and the governor a report prepared consistent with [section 124.555, subsection 3](#), paragraph "d", which shall include but not be limited to the following:

DIVISION II

CONTROLLED SUBSTANCE SCHEDULES

Sec. 3. Section 124.204, subsection 2, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. *be.* MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine).

Sec. 4. Section 124.204, subsection 4, paragraph m, Code 2019, is amended to read as follows:

~~m. Marijuana, except as otherwise provided by rules of the board for medicinal purposes.~~

Sec. 5. Section 124.204, subsection 4, paragraph u,

1 unnumbered paragraph 1, Code 2019, is amended to read as  
2 follows:

3     Tetrahydrocannabinols, ~~except as otherwise provided~~  
4 ~~by rules of the board for medicinal purposes~~, meaning  
5 tetrahydrocannabinols naturally contained in a plant of  
6 the genus Cannabis (Cannabis plant) as well as synthetic  
7 equivalents of the substances contained in the Cannabis plant,  
8 or in the resinous extractives of such plant, and synthetic  
9 substances, derivatives, and their isomers with similar  
10 chemical structure and pharmacological activity to those  
11 substances contained in the plant, such as the following:

12     Sec. 6. Section 124.204, subsection 6, paragraph i, Code  
13 2019, is amended by adding the following new subparagraph:

14     NEW SUBPARAGRAPH. (27) 1-(1,3-benzodioxol-5-yl)-2-  
15 (ethylamino)-pentan-1-one. Other names: N-ethylpentylone or  
16 ephylone.

17     Sec. 7. Section 124.204, subsection 7, Code 2019, is amended  
18 by striking the subsection.

19     Sec. 8. Section 124.204, subsection 9, Code 2019, is amended  
20 by adding the following new paragraphs:

21     NEW PARAGRAPH. *af.* N-(1-phenethylpiperidin-4-yl)-N-  
22 phenylcyclopropanecarboxamide, its isomers, esters, ethers,  
23 salts and salts of isomers, esters, and ethers. Other name:  
24 cyclopropyl fentanyl.

25     NEW PARAGRAPH. *ag.* N-(1-phenethylpiperidin-4-yl)-N-  
26 phenylpentanamide, its isomers, esters, ethers, salts and salts  
27 of isomers, esters and ethers. Other name: valeryl fentanyl.

28     NEW PARAGRAPH. *ah.* N-(4-fluorophenyl)-N-(1-  
29 phenethylpiperidin-4-yl)butyramide, its isomers, esters,  
30 ethers, salts and salts of isomers, esters, and ethers. Other  
31 name: para-fluorobutyryl fentanyl.

32     NEW PARAGRAPH. *ai.* N-(4-methoxyphenyl)-N-  
33 (1-phenethylpiperidin-4-yl)butyramide, its isomers, esters,  
34 ethers, salts and salts of isomers, esters, and ethers. Other  
35 name: para-methoxybutyryl fentanyl.

1 NEW PARAGRAPH. *aj.* N-(4-chlorophenyl)-N-(1-  
2 phenethylpiperidin-4-yl)isobutyrylamide, its isomers, esters,  
3 ethers, salts and salts of isomers, esters, and ethers. Other  
4 name: para-chloroisobutyryl fentanyl.

5 NEW PARAGRAPH. *ak.* N-(1-phenethylpiperidin-4-yl)-  
6 N-phenylisobutyrylamide, its isomers, esters, ethers, salts and  
7 salts of isomers, esters, and ethers. Other name: isobutyryl  
8 fentanyl.

9 NEW PARAGRAPH. *al.* N-(1-phenethylpiperidin-4-yl)-  
10 N-phenylcyclopentanecarboxamide, its isomers, esters, ethers,  
11 salts and salts of isomers, esters, and ethers. Other name:  
12 cyclopentyl fentanyl.

13 NEW PARAGRAPH. *am.* N-(2-fluorophenyl)-2-methoxy-N-  
14 (1-phenethylpiperidin-4-yl)acetamide, its isomers, esters,  
15 ethers, salts and salts of isomers, esters, and ethers. Other  
16 name: ocfentanil.

17 NEW PARAGRAPH. *an.* Fentanyl-related substances, their  
18 isomers, esters, ethers, salts and salts of isomers, esters  
19 and ethers. "*Fentanyl-related substance*" means any substance  
20 not otherwise listed under this schedule or another schedule,  
21 and for which no exemption or approval is in effect under  
22 section 505 of the federal Food, Drug, and Cosmetic Act that  
23 is structurally related to fentanyl by one or more of the  
24 following modifications:

25 (1) Replacement of the phenyl portion of the phenethyl group  
26 by any monocycle, whether or not further substituted in or on  
27 the monocycle.

28 (2) Substitution in or on the phenethyl group with alkyl,  
29 alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro  
30 groups.

31 (3) Substitution in or on the piperidine ring with alkyl,  
32 alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl,  
33 amino, or nitro groups.

34 (4) Replacement of the aniline ring with any aromatic  
35 monocycle whether or not further substituted in or on the

1 aromatic monocycle.

2 (5) Replacement of the *N*-propionyl group by another acyl  
3 group.

4 NEW PARAGRAPH. *ao.* Naphthalen-1-yl 1-(5-fluoropentyl)-  
5 *LH*-indole-3-carboxylate. Other names: NM2201 or CBL2201.

6 NEW PARAGRAPH. *ap.* *N*-(1-amino-3-methyl-1-oxobutan-  
7 2-yl)-1-(5-fluoropentyl)-*LH*-indazole-3-carboxamide. Other  
8 name: 5F-AB-PINACA.

9 NEW PARAGRAPH. *aq.* 1-(4-cyanobutyl)-*N*-(2-phenylpropan-  
10 2-yl)-*LH*-indazole-3-carboxamide. Other names:

11 4-CN-CUMYL-BUTINACA, 4-cyano-CUMYL-BUTINACA, 4-CN-CUMYL  
12 BINACA, CUMYL-4CN-BINACA, or SGT-78.

13 NEW PARAGRAPH. *ar.* Methyl 2-(1-(cyclohexylmethyl)-*LH*-  
14 indole-3-carboxamido)-3-methylbutanoate. Other names:  
15 MMB-CHMICA or AMB-CHMICA.

16 NEW PARAGRAPH. *as.* 1-(5-fluoropentyl)-*N*-(2-  
17 phenylpropan-2-yl)-*LH*-pyrrolo[2,3-*b*]pyridine-3-carboxamide.  
18 Other name: 5F-CUMYL-P7AICA.

19 Sec. 9. Section 124.206, subsection 7, paragraph a, Code  
20 2019, is amended by striking the paragraph.

21 Sec. 10. Section 124.208, subsection 3, paragraph c, Code  
22 2019, is amended to read as follows:

23 *c.* Any substance which contains any quantity of a derivative  
24 of barbituric acid or any salt thereof including but not  
25 limited to Fioricet.

26 Sec. 11. Section 124.212, Code 2019, is amended by adding  
27 the following new subsection:

28 NEW SUBSECTION. 6. *Approved cannabidiol drugs.* A drug  
29 product in finished dosage formulation that  
30 has been approved by the United States food and  
31 drug administration that contains cannabidiol  
32 (2-[1*R*-3-methyl-6*R*-(1-methylethenyl)-2-cyclohexen-1-yl]-5-  
33 pentyl-1,3-benzenediol) derived from cannabis and no more than  
34 0.1 percent (w/w) residual tetrahydrocannabinols.

35 Sec. 12. EFFECTIVE DATE. This division of this Act, being

1 deemed of immediate importance, takes effect upon enactment.

2 EXPLANATION

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

5 DIVISION I — IOWA PRESCRIPTION MONITORING PROGRAM  
6 INFORMATION REPORTING. This division expands reporting to  
7 the Iowa prescription monitoring program (PMP) to include  
8 those controlled substances in schedules III, IV, and V  
9 under the Iowa uniform controlled substances Act (Act)  
10 which are dispensed to patients in Iowa. This bill requires  
11 all dispensations of schedules III, IV, and V controlled  
12 substances, including those that do not require a prescription  
13 to be dispensed by a pharmacist, to be reported to the PMP,  
14 except for dispensations of pseudoephedrine, which are reported  
15 to the real-time electronic repository. The division also  
16 extends the reporting requirement to other prescription  
17 substances that the board of pharmacy and the PMP advisory  
18 council determine could be addictive or fatal if not taken  
19 under the care and direction of a prescribing practitioner.

20 The division also changes the due date for annual reports to  
21 the governor and legislature regarding the PMP from January 1  
22 to February 1.

23 DIVISION II — CONTROLLED SUBSTANCE SCHEDULES. This  
24 division adds one opioid analgesic, one synthetic cathinone,  
25 five synthetic cannabinoids, and nine synthetic opioids  
26 to schedule I of the Act, and any FDA-approved products  
27 containing cannabidiol that contain no more than 0.1 percent  
28 tetrahydrocannabinols to schedule V of the Act.

29 The division designates all products which contain  
30 derivatives of barbituric acid (butalbital) as schedule III  
31 controlled substances under the Act, subject to reporting to  
32 the PMP.

33 The division strikes language referring to medical marijuana  
34 programs of the board of pharmacy.

35 The division becomes effective upon enactment.