

Senate Study Bill 3073 - Introduced

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

A BILL FOR

1 An Act relating to controlled substances, including amending
2 the controlled substance schedules and information
3 collection and reporting requirements under the Iowa
4 prescription monitoring program, and including effective
5 date provisions.

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

1 DIVISION I
2 CONTROLLED SUBSTANCE SCHEDULES — PRECURSOR SUBSTANCES
3 REPORTING

4 Section 1. Section 124.204, subsection 2, Code 2022, is
5 amended by adding the following new paragraphs:

6 NEW PARAGRAPH. *bt*. N-phenyl-N-(1-(2-phenylpropyl)
7 piperidin-4-yl)propionamide. Other name: beta-methyl
8 fentanyl.

9 NEW PARAGRAPH. *bu*. N-(1-phenethylpiperidin-4yl)
10 -N,3-diphenylpropanamide. Other names: beta'-Phenyl fentanyl,
11 3-phenylpropanoyl fentanyl.

12 NEW PARAGRAPH. *bv*. N-(1-(2-flourophenethyl)piperidin-4-yl)
13 -N-(2-fluorophenyl)propionamide. Other names: 2'-Fluoro
14 ortho-fluorofentanyl, 2'-fluoro 2-fluorofentanyl.

15 NEW PARAGRAPH. *bw*. N-(1-(4-methylphenethyl)piperidin-4-yl)
16 -N-phenylacetamide. Other name: 4'-Methyl acetyl fentanyl.

17 NEW PARAGRAPH. *bx*. N-(2-fluorophenyl)-N-(1-
18 phenethylpiperidin-4-yl)butyramide. Other names:
19 ortho-Fluorobutyryl fentanyl, 2-fluorobutyryl fentanyl.

20 NEW PARAGRAPH. *by*. N-(2-methylphenyl)-N-(1-
21 phenethylpiperidin-4-yl)acetamide. Other names: ortho-Methyl
22 acetylfentanyl, 2-methyl acetylfentanyl.

23 NEW PARAGRAPH. *bz*. 2-methoxy-N-(2-methylphenyl)-N-
24 (1-phenethylpiperidin-4-yl)acetamide. Other names:
25 ortho-Methyl methoxyacetyl fentanyl, 2-methyl methoxyacetyl
26 fentanyl.

27 NEW PARAGRAPH. *ca*. N-(4-methylphenyl)-N-(1-
28 phenethylpiperidin-4-yl)propionamide. Other names:
29 para-Methylfentanyl, 4-methylfentanyl.

30 NEW PARAGRAPH. *cb*. N-(1-phenethylpiperidin-4-yl)
31 -N-phenylbenzamide. Other names: Phenyl fentanyl, benzoyl
32 fentanyl.

33 NEW PARAGRAPH. *cc*. N-(1-phenethylpiperidin-4-yl)
34 -N-phenylthiophene-2-carboxamide. Other names: Thiofuranyl
35 fentanyl, 2-thiofuranyl fentanyl, thiophene fentanyl.

1 NEW PARAGRAPH. *cd.* Ethyl (1-phenethylpiperidin-
2 4-yl)(phenyl)carbamate. Other name: fentanyl carbamate.

3 NEW PARAGRAPH. *ce.* N-(2-fluorophenyl)-N-(1-
4 phenethylpiperidin-4-yl)acrylamide. Other name:
5 ortho-Fluoroacryl fentanyl.

6 NEW PARAGRAPH. *cf.* N-(2-fluorophenyl)-N-(1-
7 phenethylpiperidin-4-yl)isobutyramide. Other name:
8 ortho-Fluoroisobutyryl fentanyl.

9 NEW PARAGRAPH. *cg.* N-(4-fluorophenyl)-N-(1-
10 phenethylpiperidin-4-yl)furan-2-carboxamide. Other name:
11 para-Fluoro furanyl fentanyl.

12 NEW PARAGRAPH. *ch.* N-(1-phenethylpiperidin-4-yl)-N-
13 phenylpentanamide. Other name: valeryl fentanyl.

14 NEW PARAGRAPH. *ci.* N-(4-methoxyphenyl)-N-(1-
15 phenethylpiperidin-4-yl)butyramide. Other name:
16 para-methoxybutyryl fentanyl.

17 NEW PARAGRAPH. *cj.* N-(4-chlorophenyl)-N-(1-
18 phenethylpiperidin-4-yl)isobutyramide. Other name:
19 para-Chloroisobutyryl fentanyl.

20 NEW PARAGRAPH. *ck.* N-(1-phenethylpiperidin-4-yl)
21 -N-phenylisobutryamide. Other name: Isobutyryl fentanyl.

22 NEW PARAGRAPH. *cl.* N-(1-phenethylpiperidin-4-yl)
23 -N-phenylcyclopentanecarboxamide. Other name: cyclopentanyl
24 fentanyl.

25 NEW PARAGRAPH. *cm.* N,N-diethyl-2-(2-(4-isopropoxybenzyl)
26 -5-nitro-1H-benzimidazol-1-yl)ethan-1-amine. Other name:
27 isotonitazene.

28 Sec. 2. Section 124.204, subsection 4, Code 2022, is amended
29 by adding the following new paragraphs:

30 NEW PARAGRAPH. *bs.* methyl 2-(1-(4-fluorobutyl)-
31 1H-indazole-3-carboxamido)-3,3-dimethylbutanoate. Other names:
32 4F-MDMB-BINACA, 4F-MDMB-BUTINACA.

33 NEW PARAGRAPH. *bt.* 1-(4-methoxyphenyl)-N-
34 methylpropan-2-amine. Other names:
35 para-methoxymethamphetamine, PMMA.

1 NEW PARAGRAPH. *bu.* Naphthalen-1-yl
2 1-(5-fluoropentyl)-1H-indole-3-carboxylate. Other names:
3 NM2201 or CBL2201.

4 NEW PARAGRAPH. *bv.* N-(1-amino-3-methyl-1-oxobutan-2-yl)
5 -1-(5-fluoropentyl)-1H-indazole-3-carboxamide. Other name:
6 5F-AB-PINACA.

7 NEW PARAGRAPH. *bw.* 1-(4-cyanobutyl)-N-(2-phenylpropan
8 -2-yl)-1H-indazole-3-carboxamide. Other names:
9 4-CN-CUMYL-BUTINACA, 4-cyano-CUMYL-BUTINACA, 4-CN-CUMYL
10 BINACA, CUMYL-4CN-BINACA, or SGT-78.

11 NEW PARAGRAPH. *bx.* Methyl 2-(1-(cyclohexylmethyl)-
12 1H-indole-3-carboxamido)-3-methylbutanoate. Other names:
13 MMB-CHMICA or AMB-CHMICA.

14 NEW PARAGRAPH. *by.* 1-(5-fluoropentyl)-N-(2-phenylpropan
15 -2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide. Other name:
16 5F-CUMYL-P7AICA.

17 NEW PARAGRAPH. *bz.* 1-(1,3-benzodioxol-5-yl)-2-
18 (ethylamino)-pentan-1-one. Other names: N-ethylpentylone or
19 ephylone.

20 Sec. 3. Section 124.204, subsection 6, paragraph i,
21 subparagraph 27, Code 2022, is amended by striking the
22 subparagraph.

23 Sec. 4. Section 124.204, subsection 6, Code 2022, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *i.* 4,4'-Dimethylaminorex. Other names:
26 4,4'-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-
27 2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-
28 oxazol-2-amine.

29 Sec. 5. Section 124.204, subsection 9, paragraphs h, i, j,
30 k, l, n, o, p, q, and r, Code 2022, are amended by striking the
31 paragraphs.

32 Sec. 6. Section 124.204, subsection 9, paragraph x, Code
33 2022, is amended by striking the paragraph and inserting in
34 lieu thereof the following:

35 *x.* 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,

1 3-dihydro-2H-benzo[d]imidazole-2-one. Other names: broorphine,
2 1-[1-[1-(4-bromophenyl)ethyl]-4-piperidinyl]-1,
3 3-dihydro-2H-benzimidazol-2-one.

4 Sec. 7. Section 124.206, subsection 2, paragraph a, Code
5 2022, is amended by striking the paragraph and inserting in
6 lieu thereof the following:

7 a. Opium and opiate, and any salt, compound, derivative,
8 or preparation of opium or opiate excluding apomorphine,
9 thebaine-derived butorphanol, dextrorphan, nalbuphine,
10 naldemedine, nalmeffene, naloxegol, naloxone, 6beta-naltrexol,
11 naltrexone, and samidorphan, and their respective salts, but
12 including the following:

13 Sec. 8. Section 124.210, subsection 6, Code 2022, is amended
14 by adding the following new paragraph:

15 NEW PARAGRAPH. n. Serdexmethylphenidate.

16 Sec. 9. Section 124.212, subsection 5, Code 2022, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. f. Lasmiditan [2,4,6-trifluoro-N-(6-
19 (1-methylpiperine-4-carbonyl)pyridine-2-yl-benzamide].

20 Sec. 10. Section 124B.2, subsection 1, Code 2022, is amended
21 by adding the following new paragraphs:

22 NEW PARAGRAPH. ae. 3,4-MDP-2-P methyl glycidate (PMK
23 glycidate) and its optical and geometric isomers.

24 NEW PARAGRAPH. af. 3,4-MDP-2-P methyl glycidic acid (PMK
25 glycidic acid) and its salts, optical and geometric isomers,
26 and salts of isomers.

27 NEW PARAGRAPH. ag. Alpha-phenylacetoacetamide (APAA) and
28 its optical isomers.

29 Sec. 11. EFFECTIVE DATE. This division of this Act, being
30 deemed of immediate importance, takes effect upon enactment.

31 DIVISION II

32 IOWA PRESCRIPTION MONITORING PROGRAM

33 Sec. 12. Section 124.555, unnumbered paragraph 1, Code
34 2022, is amended to read as follows:

35 An advisory council shall be established to provide

1 oversight to the board and the program and to comanage program
2 activities. ~~The board and advisory council shall jointly adopt~~
3 ~~rules specifying the duties and activities of the advisory~~
4 ~~council and related matters.~~

5 Sec. 13. Section 124.555, subsection 1, Code 2022, is
6 amended to read as follows:

7 1. The council shall consist of ~~eight~~ members appointed
8 by the ~~governor board~~. The members shall include ~~three at~~
9 ~~least one licensed pharmacists pharmacist, four physicians~~
10 ~~one physician~~ licensed under ~~chapter 148~~, and one licensed
11 prescribing practitioner who is not a physician, and other
12 members as determined by the board. The board shall adopt
13 rules in accordance with chapter 17A on matters pertaining to
14 the council membership, including the terms of appointment and
15 quorum. The ~~governor board~~ shall solicit recommendations for
16 council members from Iowa health professional licensing boards,
17 associations, and societies. The license of each member
18 appointed to and serving on the advisory council shall be
19 current and in good standing with the professional's licensing
20 board.

21 Sec. 14. Section 124.555, subsection 3, paragraph e, Code
22 2022, is amended to read as follows:

23 ~~e. One physician and one pharmacist member of the council~~
24 ~~shall include in their duties the responsibility for monitoring~~
25 Monitoring and ensuring that patient confidentiality, best
26 interests, and civil liberties are at all times protected and
27 preserved during the existence of the program.

28 EXPLANATION

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

31 This bill relates to controlled substances, including
32 amending the controlled substance schedules and information
33 collection and reporting requirements under the Iowa
34 prescription monitoring program, and including effective date
35 provisions.

1 DIVISION I — CONTROLLED SUBSTANCE SCHEDULES — PRECURSOR
2 SUBSTANCES REPORTING. The bill makes changes to controlled
3 substance schedules I, II, IV, and V in Iowa's uniform
4 controlled substances Act (Code chapter 124) and to the
5 precursor substances reporting requirement in Code chapter
6 124B to conform to the specific chemical designations of
7 the substances contained in Title 21 of the Code of Federal
8 Regulations (C.F.R.), parts 1300, 1308, and 1310.

9 The division takes effect upon enactment.

10 DIVISION II — IOWA PRESCRIPTION MONITORING PROGRAM. This
11 division amends the composition and appointment of the Iowa
12 prescription monitoring program advisory council. The bill
13 changes the advisory council from a governor-appointed council
14 to a board-appointed council; removes the minimum number of
15 council members; modifies the composition of the council;
16 directs the board to adopt rules on matters pertaining to
17 council membership including terms of appointment and quorum;
18 requires the board to consult with professional organizations
19 and licensing boards for counsel membership; and expands the
20 responsibility of the council to monitor and ensure that
21 patient confidentiality, best interests, and civil liberties
22 are at all times protected and preserved during the existence
23 of the prescription monitoring program.