

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 953
99TH GENERAL ASSEMBLY

6099H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 192.945, 192.947, 195.015, 195.017, 195.207, and 261.265, RSMo, and to enact in lieu thereof six new sections relating to schedules of controlled substances.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 192.945, 192.947, 195.015, 195.017, 195.207, and 261.265, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 192.945, 192.947, 195.015, 195.017, 195.207, and 261.265, to read as follows:

192.945. 1. As used in this section, the following terms shall mean:

(1) "Department", the department of health and senior services;

(2) "Hemp extract", as such term is defined in section 195.207;

(3) "Hemp extract registration card", a card issued by the department under this section;

(4) [~~"Intractable epilepsy", epilepsy that as determined by a neurologist does not respond to three or more treatment options overseen by the neurologist;~~

~~————(5) "Neurologist", a physician who is licensed under chapter 334 and board certified in neurology;~~

~~————(6)] "Parent", a parent or legal guardian of a minor who is responsible for the minor's medical care;~~

(5) "Physician", any person currently licensed to practice medicine under chapter 334;

~~[(7)]~~ **(6) "Registrant", an individual to whom the department issues a hemp extract registration card under this section;**

(7) "Seizure disorders", epilepsy or nonepileptic seizures that are triggered by other physical or psychological disorders and conditions;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(8) "Serious condition":**

18 **(a) Cancer, positive status for human immunodeficiency virus or acquired immune**
19 **deficiency syndrome, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis,**
20 **damage to the nervous tissue of the spinal cord with objective neurological indication of**
21 **intractable spasticity, epilepsy, inflammatory bowel disease, neuropathies, Huntington's**
22 **disease, post-traumatic stress disorder, rheumatoid arthritis; or**

23 **(b) Any of the following conditions clinically associated with, or a complication of,**
24 **a condition under this subdivision or its treatment: cachexia or wasting syndrome, severe**
25 **or chronic pain, severe nausea, seizures, severe or persistent muscle spasms.**

26 2. The department shall issue a hemp extract registration card to an individual who:

27 (1) Is eighteen years of age or older;

28 (2) Is a Missouri resident;

29 (3) Provides the department with a **[statement] recommendation** signed by a
30 **[neurologist] physician** that:

31 (a) Indicates that the individual suffers from **[intractable-epilepsy] a serious condition**
32 **or seizure disorder** and may benefit from treatment with hemp extract; **[and]**

33 (b) Is consistent with a record from the **[neurologist] physician** concerning the
34 individual contained in the database described in subsection **[9] 10** of this section;

35 **(c) Indicates the physician, by training or experience, is qualified to treat the**
36 **serious condition or seizure disorder; and**

37 **(d) States that the individual is under the physician's continuing care for the**
38 **serious condition or seizure disorder;**

39 (4) Pays the department a fee in an amount established by the department under
40 subsection 6 of this section; and

41 (5) Submits an application to the department on a form created by the department that
42 contains:

43 (a) The individual's name and address;

44 (b) A copy of the individual's valid photo identification; and

45 (c) Any other information the department considers necessary to implement the
46 provisions of this section.

47 3. The department shall issue a hemp extract registration card to a parent who:

48 (1) Is eighteen years of age or older;

49 (2) Is a Missouri resident;

50 (3) Provides the department with a **[statement] recommendation** signed by a
51 **[neurologist] physician** that:

52 (a) Indicates that a minor in the parent's care suffers from [~~intractable epilepsy~~] **a serious**
53 **condition or seizure disorder** and may benefit from treatment with hemp extract; [~~and~~]

54 (b) Is consistent with a record from the [~~neurologist~~] **physician** concerning the minor
55 contained in the database described in subsection [9] **10** of this section;

56 (c) **The physician, by training or experience, is qualified to treat the serious**
57 **condition or seizure disorder; and**

58 (d) **The minor is under the physician's continuing care for the serious condition or**
59 **seizure disorder;**

60 (4) Pays the department a fee in an amount established by the department under
61 subsection 6 of this section; and

62 (5) Submits an application to the department on a form created by the department that
63 contains:

64 (a) The parent's name and address;

65 (b) The minor's name;

66 (c) A copy of the parent's valid photo identification; and

67 (d) Any other information the department considers necessary to implement the
68 provisions of this section.

69 4. The department shall maintain a record of the name of each registrant and the name
70 of each minor receiving care from a registrant.

71 5. The department **may promulgate rules to authorize clinical trials involving hemp**
72 **extract and** shall promulgate rules to:

73 (1) Implement the provisions of this section including establishing the information the
74 applicant is required to provide to the department and establishing in accordance with
75 recommendations from the department of public safety the form and content of the hemp extract
76 registration card; and

77 (2) Regulate the distribution of hemp extract from a cannabidiol oil care center to a
78 registrant, which shall be in addition to any other state [~~or federal~~] regulations[~~; and~~
79 ~~The department may promulgate rules to authorize clinical trials involving hemp extract~~].

80 6. The department shall establish fees that are no greater than the amount necessary to
81 cover the cost the department incurs to implement the provisions of this section.

82 7. The registration cards issued under this section shall be valid for one year and
83 renewable if at the time of renewal the registrant meets the requirements of either subsection 2
84 or 3 of this section.

85 8. **Only the physician may recommend hemp extract and sign the recommendation**
86 **described in subsection 2 or 3 of this section as part of the treatment plan of a patient**
87 **diagnosed with a serious condition or seizure disorder.**

88 **9.** The ~~[neurologist]~~ **physician** who signs the ~~[statement]~~ **recommendation** described
89 in subsection 2 or 3 of this section shall:

90 (1) Keep a record of the ~~[neurologist's]~~ **physician's** evaluation and observation of a
91 patient who is a registrant or minor under a registrant's care including the patient's response to
92 hemp extract; ~~[and]~~

93 (2) Transmit the record described in subdivision (1) of this subsection to the department;
94 **and**

95 **(3) Notify the patient or the patient's parent or guardian if the patient is a minor,**
96 **prior to providing a recommendation, that hemp extract has not been approved by the**
97 **Federal Drug Administration and by using such treatment the patient or patient's parent**
98 **or guardian is accepting the risks involved in using an unapproved product.**

99 ~~[9-]~~ **10.** The department shall maintain a database of the records described in subsection
100 ~~[8]~~ **9** of this section and treat the records as identifiable health data.

101 ~~[10-]~~ **11.** The department may share the records described in subsection ~~[9]~~ **10** of this
102 section with a higher education institution for the purpose of studying hemp extract.

103 ~~[11-]~~ **12.** Any rule or portion of a rule, as that term is defined in section 536.010, that
104 is created under the authority delegated in this section shall become effective only if it complies
105 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
106 This section and chapter 536 are nonseverable and if any of the powers vested with the general
107 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
108 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
109 any rule proposed or adopted after July 14, 2014, shall be invalid and void.

192.947. 1. No individual or health care entity organized under the laws of this state
2 shall be subject to any adverse action by the state or any agency, board, or subdivision thereof,
3 including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil
4 or administrative penalty or sanction, or disciplinary action by any accreditation or licensing
5 board or commission if such individual or health care entity, in its normal course of business and
6 within its applicable licenses and regulations, acts in good faith upon or in furtherance of any
7 order or recommendation by a ~~[neurologist]~~ **physician** authorized under section 192.945 relating
8 to the medical use and administration of hemp extract with respect to an eligible patient.

9 2. The provisions of subsection 1 of this section shall apply to the recommendation,
10 possession, handling, storage, transfer, destruction, dispensing, or administration of hemp
11 extract, including any act in preparation of such dispensing or administration.

12 3. ~~[This section shall not be construed to limit the rights provided under law for a patient~~
13 ~~to bring a civil action for damages against a physician, hospital, registered or licensed practical~~
14 ~~nurse, pharmacist, any other individual or entity providing health care services, or an employee~~

15 ~~of any entity listed in this subsection]~~ **Notwithstanding the provisions of section 538.210 or**
16 **any other law to the contrary, any physician licensed under chapter 334, any hospital**
17 **licensed under chapter 197, any pharmacist licensed under chapter 338, any nurse licensed**
18 **under chapter 335, or any other person employed or directed by any of the above, which**
19 **provides care, treatment or professional services to any patient under section 192.945 shall**
20 **not be liable for any civil damages for acts or omissions unless the damages were**
21 **occasioned by gross negligence or by willful or wanton acts or omissions by such physician,**
22 **hospital, pharmacist, nurse, or person in rendering such care and treatment.**

195.015. 1. The department of health and senior services shall administer this chapter
2 and may add substances to the schedules after public notice and hearing. In making a
3 determination regarding a substance, the department of health and senior services shall consider
4 the following:

- 5 (1) The actual or relative potential for abuse;
- 6 (2) The scientific evidence of its pharmacological effect, if known;
- 7 (3) The state of current scientific knowledge regarding the substance;
- 8 (4) The history and current pattern of abuse;
- 9 (5) The scope, duration, and significance of abuse;
- 10 (6) The risk to the public health;
- 11 (7) The potential of the substance to produce psychic or physiological dependence
12 liability; and
- 13 (8) Whether the substance is an immediate precursor of a substance already controlled
14 under this chapter.

15 2. After considering the factors enumerated in subsection 1 of this section the department
16 of health and senior services shall make findings with respect thereto and issue a rule controlling
17 the substance if it finds the substance has a potential for abuse.

18 3. If the department of health and senior services designates a substance as an immediate
19 precursor, substances which are precursors of the controlled precursor shall not be subject to
20 control solely because they are precursors of the controlled precursor.

21 4. If any substance is designated, rescheduled, or deleted as a controlled substance under
22 federal law and notice thereof is given to the department of health and senior services, the
23 department of health and senior services shall similarly control the substance under this chapter
24 ~~[after the expiration of]~~ **and shall submit emergency rules to the secretary of state under**
25 **section 536.025 within** thirty days ~~[from]~~ **of publication in the federal register of a final order**
26 **designating a substance as a controlled substance or rescheduling or deleting a substance, unless**
27 **within that thirty-day period, the department of health and senior services objects to inclusion,**
28 **rescheduling, or deletion. In that case, the department of health and senior services shall publish**

29 the reasons for objection and afford all interested parties an opportunity to be heard. At the
30 conclusion of the hearing, the department of health and senior services shall publish its decision,
31 which shall be final unless altered by statute. Upon publication of objection to inclusion,
32 rescheduling or deletion under this chapter by the department of health and senior services,
33 control under this chapter is stayed as to the substance in question until the department of health
34 and senior services publishes its decision. **If the department promulgates emergency rules**
35 **under this subsection, such rules may, notwithstanding the provisions of subsection 7 of**
36 **section 536.025, remain in effect until the general assembly concludes its next regular**
37 **session following the imposition of any such rules.**

38 5. The department of health and senior services shall exclude any nonnarcotic substance
39 from a schedule if such substance may, under the federal Food, Drug, and Cosmetic Act and the
40 law of this state, be lawfully sold over the counter without a prescription.

41 6. The department of health and senior services shall prepare a list of all drugs falling
42 within the purview of controlled substances. Upon preparation, a copy of the list shall be filed
43 in the office of the secretary of state.

195.017. 1. The department of health and senior services shall place a substance in
2 Schedule I if it finds that the substance:

- 3 (1) Has high potential for abuse; and
4 (2) Has no accepted medical use in treatment in the United States or lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

- 7 (1) The controlled substances listed in this subsection are included in Schedule I;
8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

- 11 (a) Acetyl-alpha-methylfentanyl (**N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-**
12 **phenylacetamide**);
13 (b) Acetylmethadol;
14 (c) **Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)**;
15 (d) **AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide)**;
16 (e) Allylprodine;
17 [~~e~~] (f) **Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-**
18 **alpha-acetylmethadol levothadyl acetate or LAAM)**;
19 [~~e~~] (g) Alphameprodine;
20 [~~f~~] (h) Alphamethadol;

- 21 [~~g~~] **(i)** Alpha-methylfentanyl (**N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl**)
22 **propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine);**
- 23 [~~h~~] **(j)** Alpha-methylthiofentanyl (**N-(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-**
24 **phenylpropanamide);**
- 25 [~~i~~] **(k)** Benzethidine;
- 26 [~~j~~] **(l)** Betacetylmethadol;
- 27 [~~k~~] **(m)** Beta-hydroxyfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-**
28 **phenylpropanamide);**
- 29 [~~l~~] **(n)** Beta-hydroxy-3-methylfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-**
30 **piperidinyl)-N-phenylpropanamide);**
- 31 [~~m~~] **(o)** Betameprodine;
- 32 [~~n~~] **(p)** Betamethadol;
- 33 [~~o~~] **(q)** Betaprodine;
- 34 [~~p~~] **(r)** Clonitazene;
- 35 [~~q~~] **(s)** Dextromoramide;
- 36 [~~r~~] **(t)** Diampromide;
- 37 [~~s~~] **(u)** Diethylthiambutene;
- 38 [~~t~~] **(v)** Difenoxyin;
- 39 [~~u~~] **(w)** Dimenoxadol;
- 40 [~~v~~] **(x)** Dimepheptanol;
- 41 [~~w~~] **(y)** Dimethylthiambutene;
- 42 [~~x~~] **(z)** Dioxaphetyl butyrate;
- 43 [~~y~~] **(aa)** Dipipanone;
- 44 [~~z~~] **(bb)** Ethylmethylthiambutene;
- 45 [~~aa~~] **(cc)** Etonitazene;
- 46 [~~bb~~] **(dd)** Etoxeridine;
- 47 [~~cc~~] **(ee)** Furethidine;
- 48 [~~dd~~] **(ff)** Hydroxypethidine;
- 49 [~~ee~~] **(gg)** Ketobemidone;
- 50 [~~ff~~] **(hh)** Levomoramide;
- 51 [~~gg~~] **(ii)** Levophenacymorphan;
- 52 [~~hh~~] **(jj)** 3-Methylfentanyl (**N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-**
53 **phenylproanamide), its optical and geometric isomers, salts and salts of isomers;**
- 54 [~~ii~~] **(kk)** 3-Methylthiofentanyl (**N-((3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-**
55 **phenylpropanamide);**
- 56 [~~jj~~] **(ll)** Morpheridine;

- 57 [~~(kk)~~] **(mm)** MPPP (**1-methyl-4-phenyl-4-propionoxypiperidine**);
- 58 [~~(ll)~~] **(nn)** Noracymethadol;
- 59 [~~(mm)~~] **(oo)** Norlevorphanol;
- 60 [~~(nn)~~] **(pp)** Normethadone;
- 61 [~~(oo)~~] **(qq)** Norpipanone;
- 62 [~~(pp)~~] **(rr)** Para-fluorofentanyl (**N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)**
- 63 **propanamide**;
- 64 [~~(qq)~~] **(ss)** PEPAP (**1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine**);
- 65 [~~(rr)~~] **(tt)** Phenadoxone;
- 66 [~~(ss)~~] **(uu)** Phenampromide;
- 67 [~~(tt)~~] **(vv)** Phenomorphan;
- 68 [~~(uu)~~] **(ww)** Phenoperidine;
- 69 [~~(vv)~~] **(xx)** Piritramide;
- 70 [~~(ww)~~] **(yy)** Proheptazine;
- 71 [~~(xx)~~] **(zz)** Properidine;
- 72 [~~(yy)~~] **(aaa)** Propiram;
- 73 [~~(zz)~~] **(bbb)** Racemoramide;
- 74 [~~(aaa)~~] **(ccc)** Thiofentanyl (**N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-**
- 75 **propanamide**;
- 76 [~~(bbb)~~] **(ddd)** Tilidine;
- 77 [~~(ccc)~~] **(eee)** Trimeperidine;
- 78 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
- 79 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
- 80 is possible within the specific chemical designation:
- 81 (a) Acetorphine;
- 82 (b) Acetyldihydrocodeine;
- 83 (c) Benzylmorphine;
- 84 (d) Codeine methylbromide;
- 85 (e) Codeine-N-Oxide;
- 86 (f) Cyprenorphine;
- 87 (g) Desomorphine;
- 88 (h) Dihydromorphine;
- 89 (i) Drotebanol;
- 90 (j) Etorphine (except hydrochloride salt);
- 91 (k) Heroin;
- 92 (l) Hydromorphanol;

- 93 (m) Methyldesorphine;
94 (n) Methyldihydromorphine;
95 (o) Morphine methylbromide;
96 (p) Morphine methylsulfonate;
97 (q) Morphine-N-Oxide;
98 (r) Myrophine;
99 (s) Nicocodeine;
100 (t) Nicomorphine;
101 (u) Normorphine;
102 (v) Pholcodine;
103 (w) Thebacon;
104 (4) Any material, compound, mixture or preparation which contains any quantity of the
105 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
106 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
107 the specific chemical designation:
108 (a) **Alpha-ethyltryptamine;**
109 (b) 4-bromo-2, 5-dimethoxyamphetamine;
110 [~~(b)~~ 4-bromo-2, 5-dimethoxyphenethylamine;]
111 (c) **4-Bromo-2,5-dimethoxyphenethylamine;**
112 (d) 2,5-dimethoxyamphetamine;
113 [~~(d)~~] (e) 2,5-dimethoxy-4-ethylamphetamine;
114 [~~(e)~~] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
115 [~~(f)~~] (g) **2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**
116 (h) **2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**
117 (i) **2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**
118 (j) **2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**
119 (k) **2-(2,5-Dimethoxyphenyl) ethanamine;**
120 (l) **2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**
121 (m) **2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**
122 (n) **2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**
123 (o) **2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**
124 (p) 4-methoxyamphetamine;
125 [~~(g)~~] (q) 5-methoxy-3,4-methylenedioxyamphetamine;
126 [~~(h)~~] (r) 4-methyl-2, 5-dimethoxyamphetamine;
127 [~~(i)~~] (s) 3,4-methylenedioxyamphetamine;
128 [~~(j)~~] (t) 3,4-methylenedioxymethamphetamine;

- 129 [~~(k)~~] **(u)** 3,4-methylenedioxy-N-ethylamphetamine;
- 130 [(+)] **(v)** N-hydroxy-3, 4-methylenedioxyamphetamine;
- 131 [~~(m)~~] **(w)** 3,4,5-trimethoxyamphetamine;
- 132 [(+)] **(x)** 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine~~[, its isomers, salts, and~~
- 133 ~~salts of isomers];~~
- 134 [~~(o)~~] ~~Alpha-ethyltryptamine;~~
- 135 ~~—~~ [(p)] **(y)** Alpha-methyltryptamine;
- 136 [(q)] **(z)** Bufotenine;
- 137 [(r)] **(aa)** Diethyltryptamine;
- 138 [(s)] **(bb)** Dimethyltryptamine;
- 139 [(t)] **(cc)** 5-methoxy-N,N-diisopropyltryptamine;
- 140 [(u)] **(dd)** Ibogaine;
- 141 [(v)] **(ee)** Lysergic acid diethylamide;
- 142 [~~(w)~~] **(ff)** Marijuana or marihuana;
- 143 [~~(x)~~] **(gg)** Mescaline;
- 144 [(y)] **(hh)** Parahexyl;
- 145 [(z)] **(ii)** Peyote, to include all parts of the plant presently classified botanically as
- 146 Lophophora [~~Williamsii~~] **williamsii** Lemaire, whether growing or not; the seeds thereof; any
- 147 extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture
- 148 or preparation of the plant, its seed or extracts;
- 149 [~~(aa)~~] **(jj)** N-ethyl-3-piperidyl benzilate;
- 150 [~~(bb)~~] **(kk)** N-methyl-3-piperidyl benzilate;
- 151 [~~(ee)~~] **(ll)** Psilocybin;
- 152 [~~(dd)~~] **(mm)** Psilocyn;
- 153 [~~(ee)~~] **(nn)** Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 154 (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis
- 155 plant, or in the resinous extractives of such plant, or synthetic substances, derivatives~~;~~ and their
- 156 isomers, **or both**, with similar chemical structure and pharmacological activity to those
- 157 substances contained in the plant, such as the following:
- 158 a. 1 cis or trans tetrahydrocannabinol~~;~~ and their optical isomers;
- 159 b. 6 cis or trans tetrahydrocannabinol~~;~~ and their optical isomers;
- 160 c. 3,4 cis or trans tetrahydrocannabinol~~;~~ and their optical isomers;
- 161 d. Any compounds of these structures, regardless of numerical designation of atomic
- 162 positions covered;
- 163 [(ff)] **(oo)** Ethylamine analog of phencyclidine;
- 164 [~~(gg)~~] **(pp)** Pyrrolidine analog of phencyclidine;

- 165 [~~(hh)~~] **(qq)** Thiophene analog of phencyclidine;
- 166 [~~(ii)~~] **(rr)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 167 [~~(jj)~~] **(ss)** Salvia divinorum;
- 168 [~~(kk)~~] **(tt)** Salvinorin A;
- 169 [~~(H)~~] **(uu)** Synthetic cannabinoids:
- 170 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 171 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
- 172 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl
- 173 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
- 174 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
- 175 to:
- 176 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**
- 177 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 178 [~~(ii)~~] **(iii)** JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 179 [~~(iii)~~] **(iv)** JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 180 [~~(iv)~~] **(v)** JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 181 [~~(v)~~] **(vi)** JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 182 [~~(vi)~~] **(vii)** JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 183 [~~(vii)~~] **(viii)** JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 184 [~~(viii)~~] **(ix)** JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 185 [~~(ix)~~] **(x)** JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- 186 [~~(x)~~] **(xi)** JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
- 187 [~~(xi)~~] **(xii)** JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
- 188 [~~(xii)~~] **(xiii)** JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
- 189 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
- 190 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 191 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
- 192 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
- 193 extent;
- 194 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
- 195 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
- 196 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
- 197 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
- 198 ring to any extent;
- 199 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
- 200 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

201 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
202 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
203 extent. Including, but not limited to:

- 204 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- 205 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- 206 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- 207 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- 208 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

209 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
210 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
211 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
212 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

- 213 (i) CP 47, 497 [&] a n d h o m o l o g u e s , o r
214 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and
215 homologues where side chain n-4,6, or 7;

216 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
217 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
218 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
219 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
220 any extent. Including, but not limited to:

- 221 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
 - 222 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (**SR-19 and RCS-4**);
- 223 g . C P 5 0 , 5 5 6 - 1 , o r
224 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
225 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

226 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
227 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

228 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-
229 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

230 j. [~~CP 50,556-1~~, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
231 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

232 ~~—k.] Dimethylheptylpyran, or DMHP;~~

233 (5) Any material, compound, mixture or preparation containing any quantity of the
234 following substances having a depressant effect on the central nervous system, including their
235 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
236 isomers is possible within the specific chemical designation:

- 237 (a) Gamma-hydroxybutyric acid;
- 238 (b) Mecloqualone;
- 239 (c) Methaqualone;
- 240 (6) Any material, compound, mixture or preparation containing any quantity of the
- 241 following substances having a stimulant effect on the central nervous system, including their
- 242 salts, isomers and salts of isomers:
- 243 (a) Aminorex;
- 244 (b) N-benzylpiperazine;
- 245 (c) Cathinone;
- 246 (d) Fenethylamine;
- 247 (e) 3-Fluoromethcathinone;
- 248 (f) 4-Fluoromethcathinone;
- 249 (g) Mephedrone, or 4-methylmethcathinone;
- 250 (h) Methcathinone;
- 251 (i) 4-methoxymethcathinone;
- 252 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 253 (k) M e t h y l e n e d i o x y p y r o v a l e r o n e , M D P V , o r
- 254 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
- 255 (l) Methylone, or 3,4-Methylenedioxy-methcathinone;
- 256 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
- 257 (n) N-ethylamphetamine;
- 258 (o) N,N-dimethylamphetamine;
- 259 **(p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC);**
- 260 **(q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-**
- 261 **PB-22);**
- 262 **(r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-**
- 263 **carboxamide (AB-FUBINACA);**
- 264 **(s) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide**
- 265 **(ADB-PINACA);**
- 266 (7) A temporary listing of substances subject to emergency scheduling under federal law
- 267 shall include any material, compound, mixture or preparation which contains any quantity of the
- 268 following substances:
- 269 (a) [~~N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,~~
- 270 ~~salts and salts of isomers;~~
- 271 ~~—(b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thienylfentanyl), its~~
- 272 ~~optical isomers, salts and salts of isomers;]~~ **(1-pentyl-1H-indol-3-yl)(2,2,3,3-**

- 273 tetramethylcyclopropyl)methanone, its optical, positional, and geometric isomers, salts, and
274 salts of isomers;
- 275 (b) [1-(5-fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone,
276 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 277 (c) N-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide, its optical, positional,
278 and geometric isomers, salts, and salts of isomers;
- 279 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
280 positional, and geometric isomers, salts, and salts of isomers;
- 281 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
282 positional, and geometric isomers, salts, and salts of isomers;
- 283 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
284 positional, and geometric isomers, salts, and salts of isomers;
- 285 (g) 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts,
286 and salts of isomers;
- 287 (h) 4-methyl- α -pyrrolidinopropiophenone, its optical, positional, and geometric
288 isomers, salts, and salts of isomers;
- 289 (i) α -pyrrolidinopentiophenone, its optical, positional, and geometric isomers,
290 salts, and salts of isomers;
- 291 (j) Butylone, its optical, positional, and geometric isomers, salts, and salts of
292 isomers;
- 293 (k) Pentedrone, its optical, positional, and geometric isomers, salts, and salts of
294 isomers;
- 295 (l) Pentylone, its optical, positional, and geometric isomers, salts, and salts of
296 isomers;
- 297 (m) Naphyrone, its optical, positional, and geometric isomers, salts, and salts of
298 isomers;
- 299 (n) α -pyrrolidinobutiophenone, its optical, positional, and geometric isomers,
300 salts, and salts of isomers;
- 301 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
302 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 303 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide,
304 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 305 (q) [1-(5-fluoropentyl)-1*H*-indazole-3-yl](naphthalen-1-yl)methanone, its optical,
306 positional, and geometric isomers, salts, and salts of isomers;
- 307 (r) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, its isomers, esters, ethers,
308 salts, and salts of isomers, esters, and ethers;

- 309 (s) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide,
310 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 311 (t) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and
312 geometric isomers, salts, and salts of isomers;
- 313 (u) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
314 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 315 (v) 3, 4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide;
- 316 (w) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;
- 317 (x) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-
318 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
319 isomers;
- 320 (y) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
321 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 322 (z) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide, its optical,
323 positional, and geometric isomers, salts, and salts of isomers;
- 324 (aa) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-
325 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 326 (bb) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-
327 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
328 isomers;
- 329 (cc) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-
330 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
331 isomers;
- 332 (dd) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide, its isomers,
333 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 334 (ee) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers,
335 salts, and salts of isomers, esters, and ethers;
- 336 (ff) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers,
337 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 338 (gg) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide, its
339 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 340 (hh) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its isomers,
341 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 342 (ii) Methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
343 its optical, positional, and geometric isomers, salts, and salts of isomers;

- 344 **(jj) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide, its isomers,**
345 **esters, ethers, salts, and salts of isomers, esters, and ethers;**
- 346 **(kk) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters,**
347 **ethers, salts, and salts of isomers, esters, and ethers;**
- 348 **(ll) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters,**
349 **ethers, salts, and salts of isomers, esters, and ethers;**
- 350 **(mm) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers,**
351 **esters, ethers, salts, and salts of isomers, esters, and ethers;**
- 352 **(nn) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers,**
353 **esters, ethers, salts, and salts of isomers, esters, and ethers;**
- 354 **(oo) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters,**
355 **ethers, salts, and salts of isomers, esters, and ethers;**
- 356 **(pp) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide, its isomers,**
357 **esters, ethers, salts, and salts of isomers, esters, and ethers;**
- 358 **(qq) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide, its**
359 **isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;**
- 360 **(rr) Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of**
361 **isomers, esters, and ethers. Fentanyl-related substance shall mean any substance not**
362 **otherwise listed under another Drug Enforcement Administration Controlled Substance**
363 **Code Number, and for which no exemption or approval is in effect under section 505 of the**
364 **Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that is structurally related**
365 **to fentanyl by one or more of the following modifications:**
- 366 **a. Replacement of the phenyl portion of the phenethyl group by any monocycle,**
367 **whether or not further substituted in or on the monocycle;**
- 368 **b. Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl,**
369 **halo, haloalkyl, amino or nitro groups;**
- 370 **c. Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether,**
371 **hydroxyl, amino or nitro groups;**
- 372 **d. Replacement of the aniline ring with any aromatic monocycle, whether or not**
373 **further substituted in or on the aromatic monocycle; or**
- 374 **e. Replacement of the N-propionyl group by another acyl group;**
- 375 **(8) Khat, to include all parts of the plant presently classified botanically as catha edulis,**
376 **whether growing or not; the seeds thereof; any extract from any part of such plant; and every**
377 **compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.**
- 378 **3. The department of health and senior services shall place a substance in Schedule II**
379 **if it finds that:**

- 380 (1) The substance has high potential for abuse;
- 381 (2) The substance has currently accepted medical use in treatment in the United States,
- 382 or currently accepted medical use with severe restrictions; and
- 383 (3) The abuse of the substance may lead to severe psychic or physical dependence.
- 384 4. The controlled substances listed in this subsection are included in Schedule II:
- 385 (1) Any of the following substances whether produced directly or indirectly by extraction
- 386 from substances of vegetable origin, or independently by means of chemical synthesis, or by
- 387 combination of extraction and chemical synthesis:
- 388 (a) Opium and opiate; and any salt, compound, derivative or preparation of opium or
- 389 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
- 390 nalmefene, **naloxegol**, naloxone, and naltrexone, and their respective salts but including the
- 391 following:
- 392 a. Raw opium;
- 393 b. Opium extracts;
- 394 c. Opium fluid;
- 395 d. Powdered opium;
- 396 e. Granulated opium;
- 397 f. Tincture of opium;
- 398 g. Codeine;
- 399 **h. Dihydroetorphine;**
- 400 **i. Ethylmorphine;**
- 401 [~~i~~] **j. Etorphine hydrochloride;**
- 402 [~~j~~] **k. Hydrocodone;**
- 403 [~~k~~] **l. Hydromorphone;**
- 404 [~~l~~] **m. Metopon;**
- 405 [~~m~~] **n. Morphine;**
- 406 [~~n~~] **o. Oripavine;**
- 407 **p. Oxycodone;**
- 408 [~~o~~] **q. Oxymorphone;**
- 409 [~~p~~] **r. Thebaine;**
- 410 (b) Any salt, compound, derivative, or preparation thereof which is chemically
- 411 equivalent or identical with any of the substances referred to in this subdivision, but not
- 412 including the isoquinoline alkaloids of opium;
- 413 (c) Opium poppy and poppy straw;

414 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
 415 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
 416 with any of these substances, but not including **the following:**

417 **a.** Decocainized coca leaves or extractions **of coca leaves**, which **extractions** do not
 418 contain cocaine or ecgonine; **or**

419 **b. Ioflupane;**

420 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
 421 or powder form which contains the phenanthrene alkaloids of the opium poppy);

422 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
 423 of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within
 424 the specific chemical designation, dextrorphan and levopropoxyphene excepted:

425 (a) Alfentanil;

426 (b) Alphaprodine;

427 (c) Anileridine;

428 (d) Bezitramide;

429 (e) Bulk dextropropoxyphene;

430 (f) Carfentanil;

431 (g) Dihydrocodeine;

432 (h) Diphenoxylate;

433 (i) Fentanyl;

434 (j) Isomethadone;

435 (k) Levo-alphaacetylmethadol;

436 (l) Levomethorphan;

437 (m) Levorphanol;

438 (n) Metazocine;

439 (o) Methadone;

440 (p) [~~Me~~peridine];

441 ————(~~q~~) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

442 [~~(+)~~] (~~q~~) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-
 443 carboxylic acid;

444 [~~(s)~~] (~~r~~) Pethidine (meperidine);

445 [~~(+)~~] (~~s~~) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

446 [~~(+)~~] (~~t~~) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

447 [~~(+)~~] (~~u~~) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

448 [~~(w)~~] (~~v~~) Phenazocine;

449 [~~(x)~~] (~~w~~) Piminodine;

- 450 [~~(y)~~] **(x)** Racemethorphan;
- 451 [~~(z)~~] **(y)** Racemorphan;
- 452 [~~(aa)~~] **(z)** Remifentanil;
- 453 [~~(bb)~~] **(aa)** Sufentanil;
- 454 [~~(ee)~~] **(bb)** Tapentadol;
- 455 **(cc) Thiafentanil;**
- 456 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 457 following substances having a stimulant effect on the central nervous system:
- 458 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 459 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 460 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 461 (d) Phenmetrazine and its salts;
- 462 (e) Methylphenidate;
- 463 (4) Any material, compound, mixture, or preparation which contains any quantity of the
- 464 following substances having a depressant effect on the central nervous system, including its salts,
- 465 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
- 466 is possible within the specific chemical designation:
- 467 (a) Amobarbital;
- 468 (b) Glutethimide;
- 469 (c) Pentobarbital;
- 470 (d) Phencyclidine;
- 471 (e) Secobarbital;
- 472 (5) [~~Any material or compound which contains any quantity of nabilone~~] **Hallucinogenic**
- 473 **substances:**
- 474 **(a) Any material or compound which contains any quantity of nabilone;**
- 475 **(b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an oral solution in a drug**
- 476 **product approved for marketing by the U.S. Food and Drug Administration;**
- 477 (6) Any material, compound, mixture, or preparation which contains any quantity of the
- 478 following substances:
- 479 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 480 (b) Immediate precursors to phencyclidine (PCP):
- 481 a. 1-phenylcyclohexylamine;
- 482 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 483 **(c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperidine (ANPP);**
- 484 (7) Any material, compound, mixture, or preparation which contains any quantity of the
- 485 following alkyl nitrites:

- 486 (a) Amyl nitrite;
487 (b) Butyl nitrite.
- 488 5. The department of health and senior services shall place a substance in Schedule III
489 if it finds that:
- 490 (1) The substance has a potential for abuse less than the substances listed in Schedules
491 I and II;
- 492 (2) The substance has currently accepted medical use in treatment in the United States;
493 and
- 494 (3) Abuse of the substance may lead to moderate or low physical dependence or high
495 psychological dependence.
- 496 6. The controlled substances listed in this subsection are included in Schedule III:
- 497 (1) Any material, compound, mixture, or preparation which contains any quantity of the
498 following substances having a potential for abuse associated with a stimulant effect on the
499 central nervous system:
- 500 (a) Benzphetamine;
501 (b) Chlorphentermine;
502 (c) Clortermine;
503 (d) Phendimetrazine;
- 504 (2) Any material, compound, mixture or preparation which contains any quantity or salt
505 of the following substances or salts having a depressant effect on the central nervous system:
- 506 (a) Any material, compound, mixture or preparation which contains any quantity or salt
507 of the following substances combined with one or more active medicinal ingredients:
- 508 a. Amobarbital;
509 b. Secobarbital;
510 c. Pentobarbital;
- 511 (b) Any suppository dosage form containing any quantity or salt of the following:
- 512 a. Amobarbital;
513 b. Secobarbital;
514 c. Pentobarbital;
- 515 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
516 salt;
- 517 (d) Chlorhexadol;
518 (e) Embutramide;
- 519 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
520 a drug product for which an application has been approved under Section 505 of the federal
521 Food, Drug, and Cosmetic Act;

- 522 (g) Ketamine, its salts, isomers, and salts of isomers;
523 (h) Lysergic acid;
524 (i) Lysergic acid amide;
525 (j) Methyprylon;
526 (k) **Perampanel, and its salts, isomers, and salts of isomers;**
527 (l) Sulfondiethylmethane;
528 [(+) (m) Sulfonethylmethane;
529 [(m)] (n) Sulfonmethane;
530 [(+)] (o) Tiletamine and zolazepam or any salt thereof;
531 (3) Nalorphine;
532 (4) Any material, compound, mixture, or preparation containing limited quantities of any
533 of the following narcotic drugs or their salts:
534 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
535 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
536 of opium;
537 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
538 ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
539 therapeutic amounts;
540 (c) ~~Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
541 ~~or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an~~
542 ~~isoquinoline alkaloid of opium;~~
543 ~~——(d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
544 ~~or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic~~
545 ~~ingredients in recognized therapeutic amounts;~~
546 ~~——(e)] Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more~~
547 ~~than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in~~
548 ~~recognized therapeutic amounts;~~
549 [(+) (d) Not more than three hundred milligrams of ethylmorphine per one hundred
550 milliliters or not more than fifteen milligrams per dosage unit, with one or more active,
551 nonnarcotic ingredients in recognized therapeutic amounts;
552 [(g)] (e) Not more than five hundred milligrams of opium per one hundred milliliters
553 or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or
554 more active, nonnarcotic ingredients in recognized therapeutic amounts;
555 [(h)] (f) Not more than fifty milligrams of morphine per one hundred milliliters or per
556 one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
557 amounts;

558 (5) Any material, compound, mixture, or preparation containing any of the following
 559 narcotic drugs or their salts [~~as set forth in subdivision (6) of this subsection;~~] : Buprenorphine;

560 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
 561 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
 562 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
 563 expressly intended for administration through implants to cattle or other nonhuman species and
 564 which has been approved by the Secretary of Health and Human Services for that administration.
 565 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
 566 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
 567 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,
 568 any material, compound, mixture or preparation containing any quantity of the following
 569 substances, including its salts, esters and ethers:

- 570 (a) [~~3 β ,17-dihydroxy-5 α -androstane~~] **3 β ,17 β -dihydroxy-5 α -androstane**;
- 571 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
- 572 (c) 5 α -androstan-3,17-dione;
- 573 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
- 574 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
- 575 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
- 576 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
- 577 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 578 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 579 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 580 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 581 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 582 (m) Boldione (**androstra-1,4-diene-3,17-dione**);
- 583 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 584 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 585 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-
 586 dien-3-one);
- 587 (q) Desoxymethyltestosterone (**17 α -methyl-5 α -androst-2-en-17 β -ol**) (a.k.a. **madol**);
- 588 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
- 589 (s) [~~4-dihydrotestosterone (17 β -hydroxy-androstan-3-one)~~];
- 590 ————(t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 591 [~~(+)~~] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 592 [~~(+)~~] (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-
 593 one);

- 594 [~~(w)~~] (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-
595 one);
- 596 [~~(x)~~] (w) Furazabol (17 α -methyl-17 β -hydroxyandrostandro[2,3-c]-furazan);
- 597 [~~(y)~~] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 598 [~~(z)~~] (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 599 [~~(aa)~~] (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 600 [~~(bb)~~] (aa) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
- 601 [~~(cc)~~] (bb) [~~Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)] **Mesterolone**
602 **(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)**;~~
- 603 [~~(dd)~~] (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- 604 [~~(ee)~~] (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- 605 [~~(ff)~~] (ee) **Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one)**;
- 606 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- 607 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
- 608 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);
- 609 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
- 610 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-
611 one);
- 612 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- 613 (ll) [~~Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)]~~
- 614 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)**;
- 615 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- 616 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- 617 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-
618 one) (a.k.a. '17- α -methyl-1-testosterone');
- 619 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- 620 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
- 621 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- 622 (ss) 19-nor-4,9(10)-androstadienedione (**estra-4,9(10)-diene-3,17-dione**);
- 623 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- 624 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- 625 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 626 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 627 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- 628 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- 629 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);

- 630 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
631 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
632 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
633 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
634 one);
635 (eee) **Prostanozol (17 β -hydroxy-5 α -androstan-3-one)[3,2-c]pyrazole);**
636 (fff) **Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -**
637 **androst-1-en-3-one));**
638 (ggg) Stanazolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
639 [~~fff~~] (hhh) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
640 [~~ggg~~] (iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
641 lactone);
642 [~~hhh~~] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);
643 [~~iii~~] (kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-
644 one);
645 [~~jjj~~] (lll) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
646 [~~kkk~~] (mmm) Any salt, ester, or ether of a drug or substance described or listed in this
647 subdivision, except an anabolic steroid which is expressly intended for administration through
648 implants to cattle or other nonhuman species and which has been approved by the Secretary of
649 Health and Human Services for that administration;
650 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
651 United States Food and Drug Administration approved drug product;
652 (8) The department of health and senior services may except by rule any compound,
653 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
654 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
655 195.320 if the compound, mixture, or preparation contains one or more active medicinal
656 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
657 admixtures are included therein in combinations, quantity, proportion, or concentration that
658 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
659 the central nervous system.
660 7. The department of health and senior services shall place a substance in Schedule IV
661 if it finds that:
662 (1) The substance has a low potential for abuse relative to substances in Schedule III;
663 (2) The substance has currently accepted medical use in treatment in the United States;
664 and

665 (3) Abuse of the substance may lead to limited physical dependence or psychological
666 dependence relative to the substances in Schedule III.

667 8. The controlled substances listed in this subsection are included in Schedule IV:

668 (1) Any material, compound, mixture, or preparation containing any of the following
669 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
670 as set forth below:

671 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
672 of atropine sulfate per dosage unit;

673 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
674 2-diphenyl-3-methyl-2-propionoxybutane);

675 (c) **2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical
676 and geometric isomers, and salts of these isomers (including tramadol);**

677 (d) Any of the following limited quantities of narcotic drugs or their salts, which shall
678 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer
679 upon the compound, mixture or preparation valuable medicinal qualities other than those
680 possessed by the narcotic drug alone:

681 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
682 one hundred grams;

683 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
684 or per one hundred grams;

685 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
686 or per one hundred grams;

687 (2) Any material, compound, mixture or preparation containing any quantity of the
688 following substances, including their salts, isomers, and salts of isomers whenever the existence
689 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

690 (a) **Alfaxalone;**

691 (b) Alprazolam;

692 [~~(b)~~] (c) Barbitol;

693 [~~(e)~~] (d) Bromazepam;

694 [~~(d)~~] (e) Camazepam;

695 [~~(e)~~] (f) **Carisoprodol;**

696 (g) Chloral betaine;

697 [~~(f)~~] (h) Chloral hydrate;

698 [~~(g)~~] (i) Chlordiazepoxide;

699 [~~(h)~~] (j) Clobazam;

700 [~~(i)~~] (k) Clonazepam;

701	[(j)] (l) Clorazepate;
702	[(k)] (m) Clotiazepam;
703	[(l)] (n) Cloxazolam;
704	[(m)] (o) Delorazepam;
705	[(n)] (p) Diazepam;
706	[(o)] (q) Dichloralphenazone;
707	[(p)] (r) Estazolam;
708	[(q)] (s) Ethchlorvynol;
709	[(r)] (t) Ethinamate;
710	[(s)] (u) Ethyl loflazepate;
711	[(t)] (v) Fludiazepam;
712	[(u)] (w) Flunitrazepam;
713	[(v)] (x) Flurazepam;
714	[(w)] (y) Fospropofol;
715	[(x)] (z) Halazepam;
716	[(y)] (aa) Haloxazolam;
717	[(z)] (bb) Ketazolam;
718	[(aa)] (cc) Loprazolam;
719	[(bb)] (dd) Lorazepam;
720	[(cc)] (ee) Lormetazepam;
721	[(dd)] (ff) Mebutamate;
722	[(ee)] (gg) Medazepam;
723	[(ff)] (hh) Meprobamate;
724	[(gg)] (ii) Methohexital;
725	[(hh)] (jj) Methylphenobarbital (mephobarbital);
726	[(ii)] (kk) Midazolam;
727	[(jj)] (ll) Nimetazepam;
728	[(kk)] (mm) Nitrazepam;
729	[(ll)] (nn) Nordiazepam;
730	[(mm)] (oo) Oxazepam;
731	[(nn)] (pp) Oxazolam;
732	[(oo)] (qq) Paraldehyde;
733	[(pp)] (rr) Petrichloral;
734	[(qq)] (ss) Phenobarbital;
735	[(rr)] (tt) Pinazepam;
736	[(ss)] (uu) Prazepam;

- 737 [~~(tt)~~] **(vv)** Quazepam;
- 738 [~~(uu)~~] **(ww)** **Suvorexant**;
- 739 **(xx)** Temazepam;
- 740 [~~(vv)~~] **(yy)** Tetrazepam;
- 741 [~~(ww)~~] **(zz)** Triazolam;
- 742 [~~(xx)~~] **(aaa)** Zaleplon;
- 743 [~~(yy)~~] **(bbb)** Zolpidem;
- 744 [~~(zz)~~] **(ccc)** Zopiclone;
- 745 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 746 following substance, including its salts, isomers and salts of isomers whenever the existence of
- 747 such salts, isomers and salts of isomers is possible: fenfluramine;
- 748 (4) **Any material, compound, mixture, or preparation which contains any quantity**
- 749 **of the following substances, including its salts, isomers, and salts of isomers, whenever the**
- 750 **existence of such salts, isomers, and salts of isomers is possible: Lorcaserin**;
- 751 (5) Any material, compound, mixture or preparation containing any quantity of the
- 752 following substances having a stimulant effect on the central nervous system, including their
- 753 salts, isomers and salts of isomers:
- 754 (a) Cathine ((+)-norpseudoephedrine);
- 755 (b) Diethylpropion;
- 756 (c) Fencamfamin;
- 757 (d) Fenproporex;
- 758 (e) Mazindol;
- 759 (f) Mefenorex;
- 760 (g) Modafinil;
- 761 (h) Pemoline, including organometallic complexes and chelates thereof;
- 762 (i) Phentermine;
- 763 (j) Pipradrol;
- 764 (k) Sibutramine;
- 765 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 766 [~~(5)~~] **(6)** Any material, compound, mixture or preparation containing any quantity of the
- 767 following substance, including its salts:
- 768 (a) Butorphanol **(including its optical isomers)**;
- 769 (b) **Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-**
- 770 **oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic**
- 771 **acid) (including its optical isomers) and its salts, isomers, and salts of isomers**;
- 772 (c) Pentazocine;

773 ~~[(6)]~~ (7) Ephedrine, its salts, optical isomers and salts of optical isomers, when the
774 substance is the only active medicinal ingredient;

775 ~~[(7)]~~ (8) The department of health and senior services may except by rule any
776 compound, mixture, or preparation containing any depressant substance listed in subdivision (1)
777 of this subsection from the application of all or any part of sections 195.010 to 195.320 and
778 sections 579.015 to 579.086 if the compound, mixture, or preparation contains one or more
779 active medicinal ingredients not having a depressant effect on the central nervous system, and
780 if the admixtures are included therein in combinations, quantity, proportion, or concentration that
781 vitiate the potential for abuse of the substances which have a depressant effect on the central
782 nervous system.

783 9. The department of health and senior services shall place a substance in Schedule V
784 if it finds that:

785 (1) The substance has low potential for abuse relative to the controlled substances listed
786 in Schedule IV;

787 (2) The substance has currently accepted medical use in treatment in the United States;
788 and

789 (3) The substance has limited physical dependence or psychological dependence liability
790 relative to the controlled substances listed in Schedule IV.

791 10. The controlled substances listed in this subsection are included in Schedule V:

792 (1) Any compound, mixture or preparation containing any of the following narcotic
793 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
794 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
795 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
796 qualities other than those possessed by the narcotic drug alone:

797 (a) **Not more than two hundred milligrams of codeine per one hundred milliliters**
798 **or per one hundred grams;**

799 (b) **Not more than one hundred milligrams of dihydrocodeine per one hundred**
800 **milliliters or per one hundred grams;**

801 (c) **Not more than one hundred milligrams of ethylmorphine per one hundred**
802 **milliliters or per one hundred grams;**

803 (d) Not more than two and five-tenths milligrams of diphenoxylate and not less than
804 twenty-five micrograms of atropine sulfate per dosage unit;

805 ~~[(b)]~~ (e) Not more than one hundred milligrams of opium per one hundred milliliters or
806 per one hundred grams;

807 ~~[(c)]~~ (f) Not more than five-tenths milligram of difenoxin and not less than twenty-five
808 micrograms of atropine sulfate per dosage unit;

809 (2) Any material, compound, mixture or preparation which contains any quantity of the
810 following substance having a stimulant effect on the central nervous system including its salts,
811 isomers and salts of isomers: pyrovalerone;

812 (3) Any compound, mixture, or preparation containing any detectable quantity of
813 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
814 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
815 isomers, or salts of optical isomers;

816 (4) Unless specifically exempted or excluded or unless listed in another schedule, any
817 material, compound, mixture, or preparation which contains any quantity of the following
818 substances having a depressant effect on the central nervous system, including its salts:

819 (a) **Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also**
820 **referred to as BRV; UCB-34714; Briviact);**

821 (b) **Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl**
822 **ester];**

823 (c) **Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];**

824 ~~(b)~~ (d) **Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].**

825 11. If any compound, mixture, or preparation as specified in subdivision (3) of
826 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a
827 prescription:

828 (1) All packages of any compound, mixture, or preparation containing any detectable
829 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,
830 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
831 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
832 registered pharmacy technician; and

833 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
834 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
835 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
836 shall be at least eighteen years of age; and

837 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
838 any person, prior to such person's purchasing, receiving or otherwise acquiring such compound,
839 mixture, or preparation to furnish suitable photo identification that is issued by a state or the
840 federal government or a document that, with respect to identification, is considered acceptable
841 and showing the date of birth of the person;

842 (4) The seller shall deliver the product directly into the custody of the purchaser.

843 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall
844 implement and maintain an electronic log of each transaction. Such log shall include the
845 following information:

846 (1) The name, address, and signature of the purchaser;

847 (2) The amount of the compound, mixture, or preparation purchased;

848 (3) The date and time of each purchase; and

849 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
850 technician who dispensed the compound, mixture, or preparation to the purchaser.

851 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
852 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
853 transmission methods and frequency established by the department by regulation;

854 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
855 greater than those specified in this chapter.

856 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
857 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
858 where the public is not permitted.

859 16. The penalties for a knowing or reckless violation of the provisions of subsections 11
860 to 15 of this section are found in section 579.060.

861 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
862 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
863 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
864 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
865 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

866 18. The manufacturer of a drug product or another interested party may apply with the
867 department of health and senior services for an exemption from this section. The department of
868 health and senior services may grant an exemption by rule from this section if the department
869 finds the drug product is not used in the illegal manufacture of methamphetamine or other
870 controlled or dangerous substances. The department of health and senior services shall rely on
871 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
872 proposed product can be used to manufacture illicit controlled substances.

873 19. The department of health and senior services shall revise and republish the schedules
874 annually.

875 20. The department of health and senior services shall promulgate rules under chapter
876 536 regarding the security and storage of Schedule V controlled substances, as described in
877 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
878 of health and senior services.

879 21. Logs of transactions required to be kept and maintained by this section and section
880 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
881 the person whose transactions are recorded in the logs.

 195.207. 1. As used in sections 192.945, 261.265, 261.267, and this section, the term
2 "hemp extract" shall mean an extract from a cannabis plant or a mixture or preparation
3 containing cannabis plant material that:

4 (1) Is composed of no more than ~~[three-tenths]~~ **nine-tenths** percent tetrahydrocannabinol
5 by weight;

6 (2) Is composed of at least ~~[five]~~ **one and one-half** percent cannabidiol by weight; and

7 (3) Contains no other psychoactive substance.

8 2. Notwithstanding any other provision of this chapter **or chapter 579**, an individual
9 who has been issued a valid hemp extract registration card under section 192.945, or is a minor
10 under a registrant's care, and possesses or uses hemp extract is not subject to the penalties
11 described in this chapter **or chapter 579** for possession or use of the hemp extract if the
12 individual:

13 (1) Possesses or uses the hemp extract only to treat ~~[intractable epilepsy]~~ **a serious**
14 **condition or seizure disorder** as defined in section 192.945;

15 (2) Originally obtained the hemp extract from a sealed container with a label indicating
16 the hemp extract's place of origin and a number that corresponds with a certificate of analysis;

17 (3) Possesses, in close proximity to the hemp extract, a certificate of analysis that:

18 (a) Has a number that corresponds with the number on the label described in subdivision
19 (2) of this subsection;

20 (b) Indicates the hemp extract's ingredients including its percentages of
21 tetrahydrocannabinol and cannabidiol by weight;

22 (c) Is created by a laboratory that is not affiliated with the producer of the hemp extract
23 and is licensed in the state where the hemp extract was produced; and

24 (d) Is transmitted by the laboratory to the department of health and senior services; and

25 (4) Has a current hemp extract registration card issued by the department of health and
26 senior services under section 192.945.

27 3. Notwithstanding any other provision of this chapter **or chapter 579**, an individual
28 who possesses hemp extract lawfully under subsection 2 of this section and administers hemp
29 extract to a minor suffering from ~~[intractable epilepsy]~~ **a serious condition or seizure disorder**
30 is not subject to the penalties described in this chapter **or chapter 579** for administering the
31 hemp extract to the minor if:

32 (1) The individual is the minor's parent or legal guardian; and

33 (2) The individual is registered with the department of health and senior services as the
34 minor's parent under section 192.945.

35 4. An individual who has [~~been issued~~] a valid hemp extract registration card under
36 section 192.945, or is a minor under a registrant's care, may possess up to twenty ounces of hemp
37 extract pursuant to this section. Subject to any rules or regulations promulgated by the
38 department of health and senior services, an individual may apply for a waiver if a physician
39 provides a substantial medical basis in a signed, written statement asserting that, based on the
40 patient's medical history, in the physician's professional judgment, twenty ounces is an
41 insufficient amount to properly alleviate the patient's medical condition or symptoms associated
42 with such medical condition.

261.265. 1. For purposes of this section, the following terms shall mean:

2 (1) "Cannabidiol oil care center", the premises specified in an application for a
3 cultivation and production facility license in which the licensee is authorized to distribute
4 processed hemp extract to persons possessing a hemp extract registration card issued under
5 section 192.945;

6 (2) "Cultivation and production facility", the land and premises specified in an
7 application for a cultivation and production facility license on which the licensee is authorized
8 to grow, cultivate, process, and possess hemp and hemp extract;

9 (3) "Cultivation and production facility license", a license that authorizes the licensee
10 to grow, cultivate, process, and possess hemp and hemp extract, and distribute hemp extract to
11 its cannabidiol oil care centers;

12 (4) "Department", the department of agriculture;

13 (5) "**Entity**", a **person, corporation, nonprofit corporation, limited liability**
14 **corporation, general or limited partnership, or other legal entity**;

15 (6) "Grower", a nonprofit entity issued a cultivation and production facility license by
16 the department of agriculture that produces hemp extract for the treatment of [~~intractable~~
17 ~~epilepsy~~] **a serious condition or seizure disorder as such terms are defined under section**
18 **192.945**;

19 [~~(6)~~] (7) "Hemp":

20 (a) All nonseed parts and varieties of the *cannabis sativa* plant, whether growing or not,
21 that contain a crop-wide average tetrahydrocannabinol (THC) concentration that does not exceed
22 the lesser of:

23 a. [~~Three-tenths~~] **Nine-tenths** of one percent on a dry weight basis; or

24 b. The percent based on a dry weight basis determined by the federal Controlled
25 Substances Act under 21 U.S.C. Section 801, et seq.;

26 (b) Any *cannabis sativa* seed that is:

- 27 a. Part of a growing crop;
28 b. Retained by a grower for future planting; or
29 c. For processing into or use as agricultural hemp seed.

30 This term shall not include industrial hemp commodities or products;

31 ~~[(7)]~~ (8) "Hemp monitoring system", an electronic tracking system that includes, but is
32 not limited to, testing and data collection established and maintained by the cultivation and
33 production facility and is available to the department for the purposes of documenting the hemp
34 extract production and retail sale of the hemp extract.

35 2. The department shall issue a cultivation and production facility license to ~~[a nonprofit]~~
36 **an** entity to grow or cultivate the cannabis plant used to make hemp extract as defined in
37 subsection 1 of section 195.207 or hemp on the entity's property if the entity has submitted to the
38 department an application as required by the department under subsection 7 of this section, ~~[the~~
39 ~~entity]~~ meets all requirements of this section and the department's rules, and there are fewer than
40 ~~[two]~~ **ten** licensed cultivation and production facilities operating in the state. **Any cultivation**
41 **and production facility license issued before August 28, 2018, shall continue to be valid**
42 **even if the licensed entity does not meet the residency requirement under this subsection,**
43 **and the licensed entity may implement the new provisions defined in this section upon its**
44 **enactment.**

45 3. A grower may produce and manufacture hemp and hemp extract, and distribute hemp
46 extract as defined in section 195.207 for the treatment of persons suffering from ~~[intractable~~
47 ~~epilepsy as defined in section 192.945]~~ **a serious condition or seizure disorder**, consistent with
48 any and all state ~~[or federal]~~ regulations regarding the production, manufacture, or distribution
49 of such product. The department shall not issue more than ~~[two]~~ **five** cultivation and production
50 facility licenses for the operation of such facilities at any one time **in 2018, and not more than**
51 **ten cultivation and production facility licenses for the operation of such facilities at any one**
52 **time in 2019.**

53 4. The department shall maintain a list of growers.

54 5. All growers shall keep records in accordance with rules adopted by the department.
55 Upon at least three days' notice, the director of the department may audit the required records
56 during normal business hours. The director may conduct an audit for the purpose of ensuring
57 compliance with this section.

58 6. In addition to an audit conducted in accordance with subsection 5 of this section, the
59 director may inspect independently, or in cooperation with the state highway patrol or a local law
60 enforcement agency, any hemp crop during the crop's growth phase and take a representative
61 composite sample for field analysis. If a crop contains an average tetrahydrocannabinol (THC)
62 concentration exceeding the lesser of:

- 63 (1) [~~Three-tenths~~] **Nine-tenths** of one percent on a dry weight basis; or
64 (2) The percent based on a dry weight basis determined by the federal Controlled
65 Substances Act under 21 U.S.C. Section 801, et seq., the director may detain, seize, or embargo
66 the crop.
- 67 7. The department shall promulgate rules including, but not limited to:
- 68 (1) Application requirements for licensing, including requirements for the submission
69 of fingerprints and the completion of a criminal background check;
- 70 (2) Security requirements for cultivation and production facility premises, including, at
71 a minimum, lighting, physical security, video and alarm requirements;
- 72 (3) Rules relating to hemp monitoring systems as defined in this section;
- 73 (4) Other procedures for internal control as deemed necessary by the department to
74 properly administer and enforce the provisions of this section, including reporting requirements
75 for changes, alterations, or modifications of the premises;
- 76 (5) Requirements that any hemp extract received from a legal source be submitted to a
77 testing facility designated by the department to ensure that such hemp extract complies with the
78 provisions of section 195.207 and to ensure that the hemp extract does not contain any pesticides.
79 Any hemp extract that is not submitted for testing or which after testing is found not to comply
80 with the provisions of section 195.207 shall not be distributed or used and shall be submitted to
81 the department for destruction; and
- 82 (6) Rules regarding the manufacture, storage, and transportation of hemp and hemp
83 extract, which shall be in addition to any other state or federal regulations.
- 84 8. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
85 under the authority delegated in this section shall become effective only if it complies with and
86 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
87 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
88 under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
89 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
90 or adopted after July 14, 2014, **shall be invalid and void**.
- 91 9. All hemp waste from the production of hemp extract shall either be destroyed,
92 recycled by the licensee at the hemp cultivation and production facility, or donated to the
93 department or an institution of higher education for research purposes, and shall not be used for
94 commercial purposes.
- 95 10. In addition to any other liability or penalty provided by law, the director may revoke
96 or refuse to issue or renew a cultivation and production facility license and may impose a civil
97 penalty on a grower for any violation of this section, or section 192.945 or 195.207. The director
98 may not impose a civil penalty under this section that exceeds two thousand five hundred dollars.

99 **11. The department shall establish fees that are no greater than the amount**
100 **necessary to cover the cost the department incurs to implement the provisions of this**
101 **section.**

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