

FIRST REGULAR SESSION

SENATE BILL NO. 160

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Read 1st time January 7, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0665S.011

AN ACT

To repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof one new section relating to the regulation of methamphetamine precursor substances, with penalty provisions.

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

Section A. Sections 195.017 and 195.417, RSMo, are repealed and one new
2 section enacted in lieu thereof, to be known as section 195.017, to read as follows:

195.017. 1. The department of health and senior services shall place a
2 substance in 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
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in
8 Schedule I;

9 (2) Any of the following opiates, including their isomers, esters, ethers,
10 salts, and salts of isomers, esters, and ethers, unless specifically excepted,
11 whenever the existence of these isomers, esters, ethers and salts is possible
12 within the specific chemical designation:

- 13 (a) Acetyl-alpha-methylfentanyl;
14 (b) Acetylmethadol;
15 (c) Allylprodine;
16 (d) Alphacetylmethadol;
17 (e) Alphameprodine;
18 (f) Alphamethadol;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 19 (g) Alpha-methylfentanyl;
20 (h) Alpha-methylthiofentanyl;
21 (i) Benzethidine;
22 (j) Betacetylmethadol;
23 (k) Beta-hydroxyfentanyl;
24 (l) Beta-hydroxy-3-methylfentanyl;
25 (m) Betameprodine;
26 (n) Betamethadol;
27 (o) Betaprodine;
28 (p) Clonitazene;
29 (q) Dextromoramide;
30 (r) Diampromide;
31 (s) Diethylthiambutene;
32 (t) Difenoxin;
33 (u) Dimenoxadol;
34 (v) Dimepheptanol;
35 (w) Dimethylthiambutene;
36 (x) Dioxaphetyl butyrate;
37 (y) Dipipanone;
38 (z) Ethylmethylthiambutene;
39 (aa) Etonitazene;
40 (bb) Etoxeridine;
41 (cc) Furethidine;
42 (dd) Hydroxypethidine;
43 (ee) Ketobemidone;
44 (ff) Levomoramide;
45 (gg) Levophenacilmorphan;
46 (hh) 3-Methylfentanyl;
47 (ii) 3-Methylthiofentanyl;
48 (jj) Morpheridine;
49 (kk) MPPP;
50 (ll) Noracymethadol;
51 (mm) Norlevorphanol;
52 (nn) Normethadone;
53 (oo) Norpipanone;
54 (pp) Para-fluorofentanyl;

- 55 (qq) PEPAP;
- 56 (rr) Phenadoxone;
- 57 (ss) Phenampromide;
- 58 (tt) Phenomorphan;
- 59 (uu) Phenoperidine;
- 60 (vv) Piritramide;
- 61 (ww) Proheptazine;
- 62 (xx) Properidine;
- 63 (yy) Propiram;
- 64 (zz) Racemoramide;
- 65 (aaa) Thiofentanyl;
- 66 (bbb) Tilidine;
- 67 (ccc) Trimeperidine;

68 (3) Any of the following opium derivatives, their salts, isomers and salts
69 of isomers unless specifically excepted, whenever the existence of these salts,
70 isomers and salts of isomers is possible within the specific chemical designation:

- 71 (a) Acetorphine;
- 72 (b) Acetyldihydrocodeine;
- 73 (c) Benzylmorphine;
- 74 (d) Codeine methylbromide;
- 75 (e) Codeine-N-Oxide;
- 76 (f) Cyprenorphine;
- 77 (g) Desomorphine;
- 78 (h) Dihydromorphine;
- 79 (i) Drotebanol;
- 80 (j) Etorphine (except hydrochloride salt);
- 81 (k) Heroin;
- 82 (l) Hydromorphanol;
- 83 (m) Methyldesorphine;
- 84 (n) Methyldihydromorphine;
- 85 (o) Morphine methylbromide;
- 86 (p) Morphine methylsulfonate;
- 87 (q) Morphine-N-Oxide;
- 88 (r) Myrophine;
- 89 (s) Nicocodeine;
- 90 (t) Nicomorphine;

- 91 (u) Normorphine;
- 92 (v) Pholcodine;
- 93 (w) Thebacon;
- 94 (4) Any material, compound, mixture or preparation which contains any
- 95 quantity of the following hallucinogenic substances, their salts, isomers and salts
- 96 of isomers, unless specifically excepted, whenever the existence of these salts,
- 97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 100 (c) 2,5-dimethoxyamphetamine;
- 101 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 103 (f) 4-methoxyamphetamine;
- 104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 106 (i) 3,4-methylenedioxyamphetamine;
- 107 (j) 3,4-methylenedioxymethamphetamine;
- 108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 110 (m) 3,4,5-trimethoxyamphetamine;
- 111 (n) Alpha-ethyltryptamine;
- 112 (o) Alpha-methyltryptamine;
- 113 (p) Bufotenine;
- 114 (q) Diethyltryptamine;
- 115 (r) Dimethyltryptamine;
- 116 (s) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (t) Ibogaine;
- 118 (u) Lysergic acid diethylamide;
- 119 (v) Marijuana or marihuana;
- 120 (w) Mescaline;
- 121 (x) Parahexyl;
- 122 (y) Peyote, to include all parts of the plant presently classified botanically
- 123 as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any
- 124 extract from any part of such plant; and every compound, manufacture, salt,
- 125 derivative, mixture or preparation of the plant, its seed or extracts;
- 126 (z) N-ethyl-3-piperidyl benzilate;

- 127 (aa) N-methyl-3-piperidyl benzilate;
- 128 (bb) Psilocybin;
- 129 (cc) Psilocyn;
- 130 (dd) Tetrahydrocannabinols naturally contained in a plant of the genus
- 131 Cannabis (cannabis plant), as well as synthetic equivalents of the substances
- 132 contained in the cannabis plant, or in the resinous extractives of such plant, or
- 133 synthetic substances, derivatives, and their isomers with similar chemical
- 134 structure and pharmacological activity to those substances contained in the plant,
- 135 such as the following:
- 136 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 138 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 139 d. Any compounds of these structures, regardless of numerical designation
- 140 of atomic positions covered;
- 141 (ee) Ethylamine analog of phencyclidine;
- 142 (ff) Pyrrolidine analog of phencyclidine;
- 143 (gg) Thiophene analog of phencyclidine;
- 144 (hh) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 145 (ii) Salvia divinorum;
- 146 (jj) Salvinorin A;
- 147 (5) Any material, compound, mixture or preparation containing any
- 148 quantity of the following substances having a depressant effect on the central
- 149 nervous system, including their salts, isomers and salts of isomers whenever the
- 150 existence of these salts, isomers and salts of isomers is possible within the
- 151 specific chemical designation:
- 152 (a) Gamma-hydroxybutyric acid;
- 153 (b) Mecloqualone;
- 154 (c) Methaqualone;
- 155 (6) Any material, compound, mixture or preparation containing any
- 156 quantity of the following substances having a stimulant effect on the central
- 157 nervous system, including their salts, isomers and salts of isomers:
- 158 (a) Aminorex;
- 159 (b) N-benzylpiperazine;
- 160 (c) Cathinone;
- 161 (d) Fenethylamine;
- 162 (e) Methcathinone;

163 (f) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

164 (g) N-ethylamphetamine;

165 (h) N,N-dimethylamphetamine;

166 (7) A temporary listing of substances subject to emergency scheduling
167 under federal law shall include any material, compound, mixture or preparation
168 which contains any quantity of the following substances:

169 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its
170 optical isomers, salts and salts of isomers;

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

173 (8) Khat, to include all parts of the plant presently classified botanically
174 as catha edulis, whether growing or not; the seeds thereof; any extract from any
175 part of such plant; and every compound, manufacture, salt, derivative, mixture,
176 or preparation of the plant, its seed or extracts.

177 3. The department of health and senior services shall place a substance
178 in Schedule II if it finds that:

179 (1) The substance has high potential for abuse;

180 (2) The substance has currently accepted medical use in treatment in the
181 United States, or currently accepted medical use with severe restrictions; and

182 (3) The abuse of the substance may lead to severe psychic or physical
183 dependence.

184 4. The controlled substances listed in this subsection are included in
185 Schedule II:

186 (1) Any of the following substances whether produced directly or indirectly
187 by extraction from substances of vegetable origin, or independently by means of
188 chemical synthesis, or by combination of extraction and chemical synthesis:

189 (a) Opium and opiate and any salt, compound, derivative or preparation
190 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
191 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their
192 respective salts but including the following:

193 a. Raw opium;

194 b. Opium extracts;

195 c. Opium fluid;

196 d. Powdered opium;

197 e. Granulated opium;

198 f. Tincture of opium;

- 199 g. Codeine;
- 200 h. Ethylmorphine;
- 201 i. Etorphine hydrochloride;
- 202 j. Hydrocodone;
- 203 k. Hydromorphone;
- 204 l. Metopon;
- 205 m. Morphine;
- 206 n. Oxycodone;
- 207 o. Oxymorphone;
- 208 p. Thebaine;
- 209 (b) Any salt, compound, derivative, or preparation thereof which is
- 210 chemically equivalent or identical with any of the substances referred to in this
- 211 subdivision, but not including the isoquinoline alkaloids of opium;
- 212 (c) Opium poppy and poppy straw;
- 213 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
- 214 leaves, and any salt, compound, derivative, or preparation thereof which is
- 215 chemically equivalent or identical with any of these substances, but not including
- 216 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;
- 217 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
- 218 liquid, solid or powder form which contains the phenanthrene alkaloids of the
- 219 opium poppy);
- 220 (2) Any of the following opiates, including their isomers, esters, ethers,
- 221 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
- 222 and salts is possible within the specific chemical designation, dextrorphan and
- 223 levopropoxyphene excepted:
- 224 (a) Alfentanil;
- 225 (b) Alphaprodine;
- 226 (c) Anileridine;
- 227 (d) Bezitramide;
- 228 (e) Bulk dextropropoxyphene;
- 229 (f) Carfentanil;
- 230 (g) Butyl nitrite;
- 231 (h) Dihydrocodeine;
- 232 (i) Diphenoxylate;
- 233 (j) Fentanyl;
- 234 (k) Isomethadone;

- 235 (l) Levo-alphaacetylmethadol;
236 (m) Levomethorphan;
237 (n) Levorphanol;
238 (o) Metazocine;
239 (p) Methadone;
240 (q) Meperidine;
241 (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
242 4-diphenylbutane;
243 (s) Moramide-Intermediate, 2-methyl-3-morpholino-1,
244 1-diphenylpropane--carboxylic acid;
245 (t) Pethidine (meperidine);
246 (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
247 (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
248 (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
249 acid;
250 (x) Phenazocine;
251 (y) Piminodine;
252 (z) Racemethorphan;
253 (aa) Racemorphan;
254 (bb) Remifentanil;
255 (cc) Sufentanil;
256 (3) Any material, compound, mixture, or preparation which contains any
257 quantity of the following substances having a stimulant effect on the central
258 nervous system:
259 (a) Amphetamine, its salts, optical isomers, and salts of its optical
260 isomers;
261 (b) Lisdexamphetamine, its salts, isomers, and salts of its isomers;
262 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
263 (d) Phenmetrazine and its salts;
264 (e) Methylphenidate;
265 (4) Any material, compound, mixture, or preparation which contains any
266 quantity of the following substances having a depressant effect on the central
267 nervous system, including its salts, isomers, and salts of isomers whenever the
268 existence of those salts, isomers, and salts of isomers is possible within the
269 specific chemical designation:
270 (a) Amobarbital;

- 271 (b) Glutethimide;
- 272 (c) Pentobarbital;
- 273 (d) Phencyclidine;
- 274 (e) Secobarbital;
- 275 (5) Any material or compound which contains any quantity of nabilone;
- 276 (6) Any material, compound, mixture, or preparation which contains any
- 277 quantity of the following substances:
- 278 (a) Immediate precursor to amphetamine and methamphetamine:
- 279 Phenylacetone;
- 280 (b) Immediate precursors to phencyclidine (PCP):
- 281 a. 1-phenylcyclohexylamine;
- 282 b. 1-piperidinocyclohexanecarbonitrile (PCC).
- 283 5. The department of health and senior services shall place a substance
- 284 in Schedule III if it finds that:
- 285 (1) The substance has a potential for abuse less than the substances listed
- 286 in Schedules I and II;
- 287 (2) The substance has currently accepted medical use in treatment in the
- 288 United States; and
- 289 (3) Abuse of the substance may lead to moderate or low physical
- 290 dependence or high psychological dependence.
- 291 6. The controlled substances listed in this subsection are included in
- 292 Schedule III:
- 293 (1) Any material, compound, mixture, or preparation which contains any
- 294 quantity of the following substances having a potential for abuse associated with
- 295 a stimulant effect on the central nervous system:
- 296 (a) Benzphetamine;
- 297 (b) Chlorphentermine;
- 298 (c) Clortermine;
- 299 (d) Phendimetrazine;
- 300 (2) Any material, compound, mixture or preparation which contains any
- 301 quantity or salt of the following substances or salts having a depressant effect on
- 302 the central nervous system:
- 303 (a) Any material, compound, mixture or preparation which contains any
- 304 quantity or salt of the following substances combined with one or more active
- 305 medicinal ingredients:
- 306 a. Amobarbital;

- 307 b. Secobarbital;
- 308 c. Pentobarbital;
- 309 (b) Any suppository dosage form containing any quantity or salt of the
- 310 following:
- 311 a. Amobarbital;
- 312 b. Secobarbital;
- 313 c. Pentobarbital;
- 314 (c) Any substance which contains any quantity of a derivative of
- 315 barbituric acid or its salt;
- 316 (d) Chlorhexadol;
- 317 (e) Embutramide;
- 318 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 319 contained in a drug product for which an application has been approved under
- 320 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 321 (g) Ketamine, its salts, isomers, and salts of isomers;
- 322 (h) Lysergic acid;
- 323 (i) Lysergic acid amide;
- 324 (j) Methyprylon;
- 325 (k) Sulfondiethylmethane;
- 326 (l) Sulfonethylmethane;
- 327 (m) Sulfonmethane;
- 328 (n) Tiletamine and zolazepam or any salt thereof;
- 329 (3) Nalorphine;
- 330 (4) Any material, compound, mixture, or preparation containing limited
- 331 quantities of any of the following narcotic drugs or their salts:
- 332 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 333 more than ninety milligrams per dosage unit, with an equal or greater quantity
- 334 of an isoquinoline alkaloid of opium;
- 335 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 336 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
- 337 ingredients in recognized therapeutic amounts;
- 338 (c) Not more than three hundred milligrams of hydrocodone per one
- 339 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
- 340 fourfold or greater quantity of an isoquinoline alkaloid of opium;
- 341 (d) Not more than three hundred milligrams of hydrocodone per one
- 342 hundred milliliters or not more than fifteen milligrams per dosage unit, with one

343 or more active nonnarcotic ingredients in recognized therapeutic amounts;

344 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
345 or not more than ninety milligrams per dosage unit, with one or more active
346 nonnarcotic ingredients in recognized therapeutic amounts;

347 (f) Not more than three hundred milligrams of ethylmorphine per one
348 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
349 or more active, nonnarcotic ingredients in recognized therapeutic amounts;

350 (g) Not more than five hundred milligrams of opium per one hundred
351 milliliters or per one hundred grams or not more than twenty-five milligrams per
352 dosage unit, with one or more active nonnarcotic ingredients in recognized
353 therapeutic amounts;

354 (h) Not more than fifty milligrams of morphine per one hundred milliliters
355 or per one hundred grams, with one or more active, nonnarcotic ingredients in
356 recognized therapeutic amounts;

357 (5) Any material, compound, mixture, or preparation containing any of the
358 following narcotic drugs or their salts, as set forth in subdivision (6) of this
359 subsection; buprenorphine;

360 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
361 pharmacologically related to testosterone (other than estrogens, progestins,
362 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
363 an anabolic steroid which is expressly intended for administration through
364 implants to cattle or other nonhuman species and which has been approved by
365 the Secretary of Health and Human Services for that administration. If any
366 person prescribes, dispenses, or distributes such steroid for human use, such
367 person shall be considered to have prescribed, dispensed, or distributed an
368 anabolic steroid within the meaning of this paragraph. Unless specifically
369 excepted or unless listed in another schedule, any material, compound, mixture
370 or preparation containing any quantity of the following substances, including its
371 salts, esters and ethers:

372 (a) 3{,17-dihydroxy-5a-androstane;

373 (b) 3@,17{-dihydroxy-5a-androstane;

374 (c) 5@-androstan-3,17-dione;

375 (d) 1-androstenediol (3{,17{-dihydroxy-5@-androst-1-ene);

376 (e) 1-androstenediol (3@,17{-dihydroxy-5@-androst-1-ene);

377 (f) 4-androstenediol (3{,17{-dihydroxy-androst-4-ene);

378 (g) 5-androstenediol (3{,17{-dihydroxy-androst-5-ene);

- 379 (h) 1-androstenedione ([5@]-androst-1-en-3,17-dione);
- 380 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 381 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 382 (k) Bolasterone (7@, 17@-dimethyl-17{-hydroxyandrost-4-en-3-one);
- 383 (l) Boldenone (17{-hydroxyandrost-1,4,-diene-3-one);
- 384 (m) Calusterone (7{, 17@-dimethyl-17{-hydroxyandrost-4-en-3-one);
- 385 (n) Clostebol (4-chloro-17{-hydroxyandrost-4-en-3-one);
- 386 (o) D e h y d r o c h l o r o m e t h y l t e s t o s t e r o n e
- 387 (4-chloro-17{-hydroxy-17@-methyl-androst-1,4-dien-3-one);
- 388 (p) }1-dihydrotestosterone (a.k.a. '1-testosterone')(17{-hydroxy-5@-androst-1-en-3-one);
- 389 (q) 4-dihydrotestosterone (17{-hydroxy-androstan-3-one);
- 390 (r) Drostanolone (17{-hydroxy-2@-methyl-5@-androstan-3-one);
- 391 (s) Ethylestrenol (17@-ethyl-17{-hydroxyestr-4-ene);
- 392 (t) Fluoxymesterone (9-fluoro-17@-methyl-11{,17{-dihydroxyandrost-4-en-3-one);
- 393 (u) Formebolone (2-formyl-17@-methyl-11@,17{-dihydroxyandrost-1,4-dien-3-one);
- 394 (v) Furazabol (17@-methyl-17{-hydroxyandrostan[2,3-c]-furazan);
- 395 (w) 13{-ethyl-17{-hydroxygon-4-en-3-one);
- 396 (x) 4-hydroxytestosterone (4,17{-dihydroxy-androst-4-en-3-one);
- 397 (y) 4-hydroxy-19-nortestosterone (4,17{-dihydroxy-estr-4-en-3-one);
- 398 (z) Mestanolone (17@-methyl-17{-hydroxy-5-androstan-3-one);
- 399 (aa) Mesterolone (1@methyl-17{-hydroxy-[5@]-androstan-3-one);
- 400 (bb) Methandienone (17@-methyl-17{-hydroxyandrost-1,4-dien-3-one);
- 401 (cc) Methandriol (17@-methyl-3{,17{-dihydroxyandrost-5-ene);
- 402 (dd) Methenolone (1-methyl-17{-hydroxy-5@-androst-1-en-3-one);
- 403 (ee) 17@-methyl-3{,17{-dihydroxy-5a-androstane);
- 404 (ff) 17@-methyl-3@,17{-dihydroxy-5a-androstane);
- 405 (gg) 17@-methyl-3{,17{-dihydroxyandrost-4-ene);
- 406 (h h) 1 7 @ - m e t h y l - 4 - h y d r o x y n a n d r o l o n e
- 407 (17@-methyl-4-hydroxy-17{-hydroxyestr-4-en-3-one);
- 408 (ii) Methyldienolone (17@-methyl-17{-hydroxyestra-4,9(10)-dien-3-one);
- 409 (jj) Methyltrienolone (17@-methyl-17{-hydroxyestra-4,9-11-trien-3-one);
- 410 (kk) Methyltestosterone (17@-methyl-17{-hydroxyandrost-4-en-3-one);
- 411 (ll) Mibolerone (7@,17@-dimethyl-17{-hydroxyestr-4-en-3-one);
- 412 (m m) 1 7 @ - m e t h y l - } 1 - d i h y d r o t e s t o s t e r o n e
- 413 (17{-hydroxy-17@-methyl-5@-androst-1-en-3-one) (a.k.a. '17@-methyl-1-testosterone');
- 414 (nn) Nandrolone (17{-hydroxyestr-4-ene-3-one);

- 415 (oo) 19-nor-4-androstenediol (3{,17{-dihydroxyestr-4-ene);
- 416 (pp) 19-nor-4-androstenediol (3@,17{-dihydroxyestr-4-ene);
- 417 (qq) 19-nor-5-androstenediol (3{,17{-dihydroxyestr-5-ene);
- 418 (rr) 19-nor-5-androstenediol (3@,17{-dihydroxyestr-5-ene);
- 419 (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 420 (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 421 (uu) Norbolethone (13{,17@-diethyl-17{-hydroxygon-4-en-3-one);
- 422 (vv) Norclostebol (4-chloro-17{-hydroxyestr-4-en-3-one);
- 423 (ww) Norethandrolone (17@-ethyl-17{-hydroxyestr-4-en-3-one);
- 424 (xx) Normethandrolone (17@-methyl-17{-hydroxyestr-4-en-3-one);
- 425 (yy) Ⓢ androlone (17@-methyl-17{-hydroxy-2-oxa-[5@]-androstan-3-one);
- 426 (zz) Ⓢ ymesterone (17@-methyl-4,17{-dihydroxyandrost-4-en-3-one);
- 427 (a a a) O x y m e t h a l o n e
- 428 (17a-methyl-2-hydroxymethylene-17{-hydroxy-[5@]-androstan-3-one);
- 429 (bbb) Stanozolol (17@-methyl-17{-hydroxy-[5@]-androst-2-eno[3,2-c]-pyrazole);
- 430 (ccc) Stenbolone (17{-hydroxy-2-methyl-[5@]-androst-1-en-3-one);
- 431 (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
- 432 lactone);
- 433 (eee) Testosterone (17{-hydroxyandrost-4-en-3-one);
- 434 (fff) Tetrahydrogestrinone (13{,17@-diethyl-17{-hydroxygon-4,9,11-trien-3-one);
- 435 (ggg) Trenbolone (17{-hydroxyestr-4,9,11-trien-3-one);
- 436 (hhh) Any salt, ester, or ether of a drug or substance described or listed in this
- 437 subdivision, except an anabolic steroid which is expressly intended for administration
- 438 through implants to cattle or other nonhuman species and which has been approved
- 439 by the Secretary of Health and Human Services for that administration;
- 440 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin
- 441 capsule in a United States Food and Drug Administration approved drug product;
- 442 (8) **Any compound, mixture, or preparation containing any detectable**
- 443 **quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of**
- 444 **their salts or optical isomers, or salts of optical isomers, except any dietary**
- 445 **supplements, herbs, or natural products, including concentrates or extracts,**
- 446 **that are not otherwise prohibited by law and that contain naturally**
- 447 **occurring ephedrine alkaloids in a matrix of organic material such that the**
- 448 **substances do not exceed fifteen percent of the total weight of the dietary**
- 449 **supplement, herb, or natural product;**
- 450 (9) **Upon written application of a manufacturer, the department of**

451 **health and senior services may, exempt by rule, any product containing any**
452 **compound, mixture, or preparation containing any detectable quantity of**
453 **ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts**
454 **or optical isomers, or salts of optical isomers from the application of all or**
455 **any part of the sections 195.010 to 195.320 because the product is formulated**
456 **to effectively prevent conversion of the active ingredient into**
457 **methamphetamine or its salts or precursors. Upon notification from the**
458 **state highway patrol that the patrol has probable cause to believe that a**
459 **product exempted under this subdivision does not effectively prevent**
460 **conversion of the active ingredient into methamphetamine or its salts or**
461 **precursors, the department may issue an emergency rule revoking the**
462 **exemption for the product pending a full hearing;**

463 **(10)** The department of health and senior services may except by rule any
464 compound, mixture, or preparation containing any stimulant or depressant substance
465 listed in subdivisions (1) and (2) of this subsection from the application of all or any
466 part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains
467 one or more active medicinal ingredients not having a stimulant or depressant effect
468 on the central nervous system, and if the admixtures are included therein in
469 combinations, quantity, proportion, or concentration that vitiate the potential for abuse
470 of the substances which have a stimulant or depressant effect on the central nervous
471 system.

472 7. The department of health and senior services shall place a substance in
473 Schedule IV if it finds that:

474 (1) The substance has a low potential for abuse relative to substances in
475 Schedule III;

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

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

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

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

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

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

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

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

495 b. Not more than one hundred milligrams of dihydrocodeine per one hundred
496 milliliters or per one hundred grams;

497 c. Not more than one hundred milligrams of ethylmorphine per one hundred
498 milliliters or per one hundred grams;

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

503 (a) Alprazolam;

504 (b) Barbitol;

505 (c) Bromazepam;

506 (d) Camazepam;

507 (e) Chloral betaine;

508 (f) Chloral hydrate;

509 (g) Chlordiazepoxide;

510 (h) Clobazam;

511 (i) Clonazepam;

512 (j) Clorazepate;

513 (k) Clotiazepam;

514 (l) Cloxazolam;

515 (m) Delorazepam;

516 (n) Diazepam;

517 (o) Dichloralphenazone;

518 (p) Estazolam;

519 (q) Ethchlorvynol;

520 (r) Ethinamate;

521 (s) Ethyl loflazepate;

522 (t) Fludiazepam;

- 523 (u) Flunitrazepam;
- 524 (v) Flurazepam;
- 525 (w) Halazepam;
- 526 (x) Haloxazolam;
- 527 (y) Ketazolam;
- 528 (z) Loprazolam;
- 529 (aa) Lorazepam;
- 530 (bb) Lormetazepam;
- 531 (cc) Mebutamate;
- 532 (dd) Medazepam;
- 533 (ee) Meprobamate;
- 534 (ff) Methohexital;
- 535 (gg) Methylphenobarbital (mephobarbital);
- 536 (hh) Midazolam;
- 537 (ii) Nimetazepam;
- 538 (jj) Nitrazepam;
- 539 (kk) Nordiazepam;
- 540 (ll) Oxazepam;
- 541 (mm) Oxazolam;
- 542 (nn) Paraldehyde;
- 543 (oo) Petrichloral;
- 544 (pp) Phenobarbital;
- 545 (qq) Pinazepam;
- 546 (rr) Prazepam;
- 547 (ss) Quazepam;
- 548 (tt) Temazepam;
- 549 (uu) Tetrazepam;
- 550 (vv) Triazolam;
- 551 (ww) Zaleplon;
- 552 (xx) Zolpidem;
- 553 (yy) Zopiclone;
- 554 (3) Any material, compound, mixture, or preparation which contains any
- 555 quantity of the following substance including its salts, isomers and salts of isomers
- 556 whenever the existence of such salts, isomers and salts of isomers is possible:
- 557 fenfluramine;
- 558 (4) Any material, compound, mixture or preparation containing any quantity

559 of the following substances having a stimulant effect on the central nervous system,
560 including their salts, isomers and salts of isomers:

- 561 (a) Cathine ((+)-norpseudoephedrine);
- 562 (b) Diethylpropion;
- 563 (c) Fencamfamin;
- 564 (d) Fenproporex;
- 565 (e) Mazindol;
- 566 (f) Mefenorex;
- 567 (g) Modafinil;
- 568 (h) Pemoline, including organometallic complexes and chelates thereof;
- 569 (i) Phentermine;
- 570 (j) Pipradrol;
- 571 (k) Sibutramine;
- 572 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 573 (5) Any material, compound, mixture or preparation containing any quantity

574 of the following substance, including its salts:

- 575 (a) butorphanol;
- 576 (b) pentazocine;
- 577 (6) [Ephedrine, its salts, optical isomers and salts of optical isomers, when the
578 substance is the only active medicinal ingredient;

579 (7)] The department of health and senior services may except by rule any
580 compound, mixture, or preparation containing any depressant substance listed in
581 subdivision (1) of this subsection from the application of all or any part of sections
582 195.010 to 195.320 if the compound, mixture, or preparation contains one or more
583 active medicinal ingredients not having a depressant effect on the central nervous
584 system, and if the admixtures are included therein in combinations, quantity,
585 proportion, or concentration that vitiate the potential for abuse of the substances
586 which have a depressant effect on the central nervous system.

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

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

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

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

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

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

603 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less
604 than twenty-five micrograms of atropine sulfate per dosage unit;

605 (b) Not more than one hundred milligrams of opium per one hundred
606 milliliters or per one hundred grams;

607 (c) Not more than five-tenths milligram of difenoxin and not less than
608 twenty-five micrograms of atropine sulfate per dosage unit;

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

612 (3) [Any compound, mixture, or preparation containing any detectable
613 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers
614 or any compound, mixture, or preparation containing any detectable quantity of
615 ephedrine or its salts or optical isomers, or salts of optical isomers;

616 (4)] Unless specifically exempted or excluded or unless listed in another schedule,
617 any material, compound, mixture, or preparation which contains any quantity of the
618 following substances having a depressant effect on the central nervous system, including its
619 salts: pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

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

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

628 (2) Any person purchasing, receiving or otherwise acquiring any compound,
629 mixture, or preparation containing any detectable quantity of pseudoephedrine, its
630 salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical

631 isomers, or salts of optical isomers shall be at least eighteen years of age; and

632 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
633 shall require any person, prior to their purchasing, receiving or otherwise acquiring
634 such compound, mixture, or preparation to furnish suitable photo identification that
635 is issued by a state or the federal government or a document that, with respect to
636 identification, is considered acceptable and showing the date of birth of the person;

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

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

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

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

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

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

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

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

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

657 16. Any person who knowingly or recklessly violates the provisions of
658 subsections 11 to 15 of this section is guilty of a class A misdemeanor.

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

665 18. The manufacturer of a drug product or another interested party may apply
666 with the department of health and senior services for an exemption from this

667 section. The department of health and senior services may grant an exemption by rule
668 from this section if the department finds the drug product is not used in the illegal
669 manufacture of methamphetamine or other controlled or dangerous substances. The
670 department of health and senior services shall rely on reports from law enforcement
671 and law enforcement evidentiary laboratories in determining if the proposed product
672 can be used to manufacture illicit controlled substances.

673 19.] 12. The department of health and senior services shall revise and
674 republish the schedules annually.

675 [20. The department of health and senior services shall promulgate rules
676 under chapter 536, RSMo, regarding the security and storage of Schedule V controlled
677 substances, as described in subdivision (3) of subsection 10 of this section, for
678 distributors as registered by the department of health and senior services.

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

2 [195.417. 1. The limits specified in this section shall not apply
3 to any quantity of such product, mixture, or preparation which must be
4 dispensed, sold, or distributed in a pharmacy pursuant to a valid
5 prescription.

6 2. Within any thirty-day period, no person shall sell, dispense,
7 or otherwise provide to the same individual, and no person shall
8 purchase, receive, or otherwise acquire more than the following
9 amount: any number of packages of any drug product containing any
10 detectable amount of ephedrine, phenylpropanolamine, or
11 pseudoephedrine, or any of their salts or optical isomers, or salts of
12 optical isomers, either as:

13 (1) The sole active ingredient; or
14 (2) One of the active ingredients of a combination drug; or
15 (3) A combination of any of the products specified in
16 subdivisions (1) and (2) of this subsection;
17 in any total amount greater than nine grams, without regard to the
18 number of transactions.

19 3. Within any twenty-four-hour period, no pharmacist, intern
20 pharmacist, or registered pharmacy technician shall sell, dispense, or
21 otherwise provide to the same individual, and no person shall purchase,
receive, or otherwise acquire more than the following amount: any

22 number of packages of any drug product containing any detectable
23 amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or
24 any of their salts or optical isomers, or salts of optical isomers, either
25 as:

26 (1) The sole active ingredient; or
27 (2) One of the active ingredients of a combination drug; or
28 (3) A combination of any of the products specified in
29 subdivisions (1) and (2) of this subsection;
30 in any total amount greater than three and six-tenths grams without
31 regard to the number of transactions.

32 4. All packages of any compound, mixture, or preparation
33 containing any detectable quantity of ephedrine, phenylpropanolamine,
34 or pseudoephedrine, or any of their salts or optical isomers, or salts of
35 optical isomers, except those that are excluded from Schedule V in
36 subsection 17 or 18 of section 195.017, shall be offered for sale only from
37 behind a pharmacy counter where the public is not permitted, and only
38 by a registered pharmacist or registered pharmacy technician under
39 section 195.017.

40 5. Each pharmacy shall submit information regarding sales of
41 any compound, mixture, or preparation as specified in this section in
42 accordance with transmission methods and frequency established by
43 the department by regulation.

44 6. This section shall supersede and preempt any local
45 ordinances or regulations, including any ordinances or regulations
46 enacted by any political subdivision of the state. This section shall not
47 apply to the sale of any animal feed products containing ephedrine or
48 any naturally occurring or herbal ephedra or extract of ephedra.

49 7. All logs, records, documents, and electronic information
50 maintained for the dispensing of these products shall be open for
51 inspection and copying by municipal, county, and state or federal law
52 enforcement officers whose duty it is to enforce the controlled
53 substances laws of this state or the United States.

54 8. Within thirty days of June 15, 2005, all persons who
55 dispense or offer for sale pseudoephedrine and ephedrine products,
56 except those that are excluded from Schedule V in subsection 17 or 18
57 of section 195.017, shall ensure that all such products are located only

58 behind a pharmacy counter where the public is not permitted.

59 9. Any person who knowingly or recklessly violates this section
60 is guilty of a class A misdemeanor.]

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