

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE NO. 2

FOR

HOUSE BILL NO. 1896

AN ACT

To repeal sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 191.1146, 195.015, 195.017, 195.417,
2 579.060, 579.065, and 579.068, RSMo, are repealed and nine new
3 sections enacted in lieu thereof, to be known as sections
4 191.1146, 195.015, 195.017, 195.417, 195.805, 195.815, 579.060,
5 579.065, and 579.068, to read as follows:

6 191.1146. 1. Physicians licensed under chapter 334 who use
7 telemedicine shall ensure that a properly established
8 physician-patient relationship exists with the person who
9 receives the telemedicine services. The physician-patient
10 relationship may be established by:

11 (1) An in-person encounter through a medical interview and
12 physical examination;

13 (2) Consultation with another physician, or that

1 physician's delegate, who has an established relationship with
2 the patient and an agreement with the physician to participate in
3 the patient's care; or

4 (3) A telemedicine encounter, if the standard of care does
5 not require an in-person encounter, and in accordance with
6 evidence-based standards of practice and telemedicine practice
7 guidelines that address the clinical and technological aspects of
8 telemedicine.

9 2. In order to establish a physician-patient relationship
10 through telemedicine:

11 (1) The technology utilized shall be sufficient to
12 establish an informed diagnosis as though the medical interview
13 and physical examination has been performed in person; and

14 (2) Prior to providing treatment, including issuing
15 prescriptions or physician certifications under article XIV of
16 the Missouri constitution, a physician who uses telemedicine
17 shall interview the patient, collect or review relevant medical
18 history, and perform an examination sufficient for the diagnosis
19 and treatment of the patient. A questionnaire completed by the
20 patient, whether via the internet or telephone, does not
21 constitute an acceptable medical interview and examination for
22 the provision of treatment by telehealth.

23 195.015. 1. The department of health and senior services
24 shall administer this chapter and may add substances to the
25 schedules after public notice and hearing. In making a
26 determination regarding a substance, the department of health and
27 senior services shall consider the following:

28 (1) The actual or relative potential for abuse;

1 (2) The scientific evidence of its pharmacological effect,
2 if known;

3 (3) The state of current scientific knowledge regarding the
4 substance;

5 (4) The history and current pattern of abuse;

6 (5) The scope, duration, and significance of abuse;

7 (6) The risk to the public health;

8 (7) The potential of the substance to produce psychic or
9 physiological dependence liability; and

10 (8) Whether the substance is an immediate precursor of a
11 substance already controlled under this chapter.

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

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

22 4. If any substance is designated, rescheduled, or deleted
23 as a controlled substance under federal law and notice thereof is
24 given to the department of health and senior services, the
25 department of health and senior services shall similarly control
26 the substance under this chapter [after the expiration of] and
27 shall submit emergency rules to the secretary of state under
28 section 536.025 within thirty days [from] of publication in the

1 federal register of a final order designating a substance as a
2 controlled substance or rescheduling or deleting a substance,
3 unless within that thirty-day period, the department of health
4 and senior services objects to inclusion, rescheduling, or
5 deletion. In that case, the department of health and senior
6 services shall publish the reasons for objection and afford all
7 interested parties an opportunity to be heard. At the conclusion
8 of the hearing, the department of health and senior services
9 shall publish its decision, which shall be final unless altered
10 by statute. Upon publication of objection to inclusion,
11 rescheduling or deletion under this chapter by the department of
12 health and senior services, control under this chapter is stayed
13 as to the substance in question until the department of health
14 and senior services publishes its decision. If the department
15 promulgates emergency rules under this subsection, such rules
16 may, notwithstanding the provisions of subsection 7 of section
17 536.025, remain in effect until the general assembly concludes
18 its next regular session following the imposition of any such
19 rules. The department shall clearly state if the rules shall be
20 in effect pursuant to this subsection or subsection 7 of section
21 536.025 in the emergency statement filed with the secretary of
22 state.

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

28 6. The department of health and senior services shall

1 prepare a list of all drugs falling within the purview of
2 controlled substances. Upon preparation, a copy of the list
3 shall be filed in the office of the secretary of state.

4 195.017. 1. The department of health and senior services
5 shall place a substance in Schedule I if it finds that the
6 substance:

7 (1) Has high potential for abuse; and

8 (2) Has no accepted medical use in treatment in the United
9 States or lacks accepted safety for use in treatment under
10 medical supervision.

11 2. Schedule I:

12 (1) The controlled substances listed in this subsection are
13 included in Schedule I;

14 (2) Any of the following opiates, including their isomers,
15 esters, ethers, salts, and salts of isomers, esters, and ethers,
16 unless specifically excepted, whenever the existence of these
17 isomers, esters, ethers and salts is possible within the specific
18 chemical designation:

19 (a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-
20 phenethyl)-4-piperidinyl)-N-phenylacetamide);

21 (b) Acetylmethadol;

22 (c) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
23 phenylacetamide);

24 (d) Acryl fentanyl (- (1-phenethylpiperidin-4-yl)-N-
25 phenylacrylamide);

26 (e) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)
27 cyclohexylmethyl] benzamide);

28 (f) Allylprodine;

1 [(d)] (g) Alphacetylmethadol (except
2 levoalphacetylmethadol, also known as levo-alpha-acetylmethadol
3 levothadyl acetate or LAAM);
4 [(e)] (h) Alphameprodine;
5 [(f)] (i) Alphamethadol;
6 [(g)] (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-
7 phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-
8 phenylethyl)-4 ((N-propanilido) piperidine);
9 [(h)] (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-
10 thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide);
11 [(i)] (l) Benzethidine;
12 [(j)] (m) Betacetylmethadol;
13 [(k)] (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-
14 phenethyl)-4-piperidinyl)-N-phenylpropanamide);
15 [(l)] (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-
16 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
17 [(m)] (p) Betameprodine;
18 [(n)] (q) Betamethadol;
19 [(o)] (r) Betaprodine;
20 [(p)] (s) Clonitazene;
21 [(q)] (t) Dextromoramide;
22 [(r)] (u) Diampromide;
23 (v) Cyclopropyl fentanyl;
24 [(s)] (w) Diethylthiambutene;
25 [(t)] (x) Difenoxyin;
26 [(u)] (y) Dimenoxadol;
27 [(v)] (z) Dimepheptanol;

1 [(w)] (aa) Dimethylthiambutene;

2 [(x)] (bb) Dioxaphetyl butyrate;

3 [(y)] (cc) Dipipanone;

4 [(z)] (dd) Ethylmethylthiambutene;

5 [(aa)] (ee) Etonitazene;

6 [(bb)] (ff) Etoxeridine;

7 (gg) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-
8 phenethylpiperidin-4-yl)isobutyramide;

9 (hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-
10 phenylfuran-2-carboxamide;

11 [(cc)] (ii) Furethidine;

12 [(dd)] (jj) Hydroxypethidine;

13 [(ee)] (kk) Ketobemidone;

14 [(ff)] (ll) Levomoramide;

15 [(gg)] (mm) Levophenacylmorphan;

16 [(hh)] (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-
17 phenylethyl)-4-piperidyl)-N-phenylproanamide), its optical and
18 geometric isomers, salts, and salts of isomers;

19 [(ii)] (oo) 3-Methylthiofentanyl (N-((3-methyl-1-(2-
20 thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide);

21 (pp) Methoxyacetyl fentanyl (2-methoxy-N-(1-
22 phenethylpiperidin-4-yl)-N-phenylacetamide);

23 [(jj)] (qq) Morpheridine;

24 [(kk)] (rr) MPPP (1-methyl-4-phenyl-4-
25 propionoxypiperidine);

26 (ss) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);

27 [(ll)] (tt) Noracymethadol;

1 [(mm)] (uu) Norlevorphanol;

2 [(nn)] (vv) Normethadone;

3 [(oo)] (ww) Norpipanone;

4 (xx) Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-
5 phenethylpiperidin-4-yl)acetamide;

6 (yy) Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-
7 yl)propionamide); other name 2-fluorofentanyl;

8 (zz) para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-
9 phenethylpiperidin-4-yl)butyramide;

10 [(pp)] (aaa) Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-
11 (2-phenethyl)-4-piperidinyl) propanamide;

12 [(qq)] (bbb) PEPAP (1-(2-phenethyl)-4-phenyl-4-
13 acetoxypiperidine);

14 [(rr)] (ccc) Phenadoxone;

15 [(ss)] (ddd) Phenampromide;

16 [(tt)] (eee) Phenomorphan;

17 [(uu)] (fff) Phenoperidine;

18 [(vv)] (ggg) Piritramide;

19 [(ww)] (hhh) Proheptazine;

20 [(xx)] (iii) Properidine;

21 [(yy)] (jjj) Propiram;

22 [(zz)] (kkk) Racemoramide;

23 (lll) Tetrahydrofuranlyl fentanyl (N-(1-phenethylpiperidin-
24 4-yl)-N-phenyltetrahydrofuran-2-carboxamide);

25 [(aaa)] (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-
26 4-piperidinyl)-propanamide;

27 [(bbb)] (nnn) Tilidine;

1 [(ccc)] (ooo) Trimeperidine;

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

- 6 (a) Acetorphine;
- 7 (b) Acetyldihydrocodeine;
- 8 (c) Benzylmorphine;
- 9 (d) Codeine methylbromide;
- 10 (e) Codeine-N-Oxide;
- 11 (f) Cyprenorphine;
- 12 (g) Desomorphine;
- 13 (h) Dihydromorphine;
- 14 (i) Drotebanol;
- 15 (j) Etorphine (except hydrochloride salt);
- 16 (k) Heroin;
- 17 (l) Hydromorphenol;
- 18 (m) Methyldesorphine;
- 19 (n) Methyldihydromorphine;
- 20 (o) Morphine methylbromide;
- 21 (p) Morphine methylsulfonate;
- 22 (q) Morphine-N-Oxide;
- 23 (r) Myrophine;
- 24 (s) Nicocodeine;
- 25 (t) Nicomorphine;
- 26 (u) Normorphine;
- 27 (v) Pholcodine;
- 28 (w) Thebacon;

1 (4) Any of the following opiate similar synthetic
2 substances scheduled by the U.S. Drug Enforcement Administration
3 as substances that share a pharmacological profile similar to
4 fentanyl, morphine, and other synthetic opioids, unless
5 specifically excepted or unless listed in another schedule:

6 (a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
7 phenylbutyramide);

8 (b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-
9 -methyl benzamide).

10 (5) Any material, compound, mixture or preparation which
11 contains any quantity of the following hallucinogenic substances,
12 their salts, isomers and salts of isomers, unless specifically
13 excepted, whenever the existence of these salts, isomers, and
14 salts of isomers is possible within the specific chemical
15 designation:

16 (a) [4-bromo-2, 5-dimethoxyamphetamine;

17 (b) 4-bromo-2, 5-dimethoxyphenethylamine;

18 (c) 2,5-dimethoxyamphetamine;

19 (d) 2,5-dimethoxy-4-ethylamphetamine] Alpha-
20 ethyltryptamine;

21 (b) 4-bromo-2,5-dimethoxyamphetamine;

22 (c) 4-bromo-2,5-dimethoxyphenethylamine;

23 (d) 2,5-dimethoxyamphetamine;

24 [(d)] (e) 2,5-dimethoxy-4-ethylamphetamine;

25 [(e)] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;

26 [(f)] (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;

27 (h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;

28 (i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;

- 1 (j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;
- 2 (k) 2-(2,5-Dimethoxyphenyl) ethanamine;
- 3 (l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;
- 4 (m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;
- 5 (n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;
- 6 (o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;
- 7 (p) 4-methoxyamphetamine;
- 8 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;
- 9 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 10 [(i)] (s) 3,4-methylenedioxyamphetamine;
- 11 [(j)] (t) 3,4-methylenedioxyamphetamin;
- 12 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;
- 13 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 14 [(m)] (w) 3,4,5-trimethoxyamphetamine;
- 15 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[,
- 16 its isomers, salts, and salts of isomers];
- 17 [(o) Alpha-ethyltryptamine;
- 18 [(p)] (y) Alpha-methyltryptamine;
- 19 [(q)] (z) Bufotenine;
- 20 [(r)] (aa) Diethyltryptamine;
- 21 [(s)] (bb) Dimethyltryptamine;
- 22 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 23 [(u)] (dd) Ibogaine;
- 24 [(v)] (ee) Lysergic acid diethylamide;
- 25 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 26 [(x)] (gg) Mescaline;
- 27 [(y)] (hh) Parahexyl;

1 [(z)] (ii) Peyote, to include all parts of the plant
2 presently classified botanically as Lophophora [Williamsil]
3 williamsii Lemaire, whether growing or not; the seeds thereof;
4 any extract from any part of such plant; and every compound,
5 manufacture, salt, derivative, mixture or preparation of the
6 plant, its seed or extracts;

7 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;

8 [(bb)] (kk) N-methyl-3-piperidyl benzilate;

9 [(cc)] (ll) Psilocybin;

10 [(dd)] (mm) Psilocyn;

11 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a
12 plant of the genus Cannabis (cannabis plant), except industrial
13 hemp, as well as synthetic equivalents of the substances
14 contained in the cannabis plant, or in the resinous extractives
15 of such plant, or synthetic substances, derivatives[,] and their
16 isomers, or both, with similar chemical structure and
17 pharmacological activity to those substances contained in the
18 plant, such as the following:

19 a. 1 cis or trans tetrahydrocannabinol[,] and their optical
20 isomers;

21 b. 6 cis or trans tetrahydrocannabinol[,] and their optical
22 isomers;

23 c. 3,4 cis or trans tetrahydrocannabinol[,] and their
24 optical isomers;

25 d. Any compounds of these structures, regardless of
26 numerical designation of atomic positions covered;

27 [(ff)] (oo) Ethylamine analog of phencyclidine;

28 [(gg)] (pp) Pyrrolidine analog of phencyclidine;

1 [(hh)] (qq) Thiophene analog of phencyclidine;

2 [(ii)] (rr) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

3 [(jj)] (ss) Salvia divinorum;

4 [(kk)] (tt) Salvinorin A;

5 [(ll)] (uu) Synthetic cannabinoids:

6 a. Any compound structurally derived from

7 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by

8 substitution at the nitrogen atom of the indole ring by alkyl,

9 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

10 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,

11 whether or not further substituted in the indole ring to any

12 extent, whether or not substituted in the naphthyl ring to any

13 extent. Including, but not limited to:

14 (i) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;

15 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

16 [(ii)] (iii) JWH-015, or

17 1-propyl-2-methyl-3-(1-naphthoyl)indole;

18 [(iii)] (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

19 [(iv)] (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

20 [(v)] (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

21 [(vi)] (vii) JWH-081, or

22 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

23 [(vii)] (viii) JWH-098, or

24 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;

25 [(viii)] (ix) JWH-122, or

26 1-pentyl-3-(4-methyl-1-naphthoyl)indole;

27 [(ix)] (x) JWH-164, or

28 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

1 [(x)] (xi) JWH-200, or
2 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

3 [(xi)] (xii) JWH-210, or
4 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;

5 [(xii)] (xiii) JWH-398, or
6 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

7 b. Any compound structurally derived from
8 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of
9 the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
10 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
11 2-(4-morpholinyl)ethyl group, whether or not further substituted
12 in the pyrrole ring to any extent, whether or not substituted in
13 the naphthyl ring to any extent;

14 c. Any compound structurally derived from
15 1-(1-naphthylmethyl)indene by substitution at the 3-position of
16 the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
17 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
18 2-(4-morpholinyl)ethyl group, whether or not further substituted
19 in the indene ring to any extent, whether or not substituted in
20 the naphthyl ring to any extent;

21 d. Any compound structurally derived from
22 3-phenylacetylindole by substitution at the nitrogen atom of the
23 indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
24 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
25 2-(4-morpholinyl)ethyl group, whether or not further substituted
26 in the indole ring to any extent, whether or not substituted in
27 the phenyl ring to any extent. Including, but not limited to:

28 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

- 1 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
2 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
3 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
4 (v) RCS-8, or

5 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

6 e. Any compound structurally derived from
7 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position
8 of the phenolic ring by alkyl, haloalkyl, alkenyl,
9 cycloalkylmethyl, cycloalkylethyl,
10 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
11 whether or not substituted in the cyclohexyl ring to any extent.
12 Including, but not limited to[:

13 (i)] CP 47, 497 [&] and homologues, or
14 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol),
15 where side chain n=5, and homologues where side chain n=4,6, or
16 7;

17 f. Any compound containing a 3-(benzoyl)indole structure
18 with substitution at the nitrogen atom of the indole ring by
19 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
20 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
21 whether or not further substituted in the indole ring to any
22 extent and whether or not substituted in the phenyl ring to any
23 extent. Including, but not limited to:

24 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
25 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19
26 and RCS-4);

27 g. CP 50,556-1, or
28 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]

oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

h. HU-210, or

(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

i. HU-211, or

Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyl
octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

j. [CP 50,556-1, or

[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

k.] Dimethylheptylpyran, or DMHP;

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

(a) Gamma-hydroxybutyric acid;

(b) Mecloqualone;

(c) Methaqualone;

[(6)] (7) Any material, compound, mixture or preparation
containing any quantity of the following substances having a
stimulant effect on the central nervous system, including their
salts, isomers and salts of isomers:

(a) Aminorex;

(b) N-benzylpiperazine;

(c) Cathinone;

(d) Fenethylamine;

- 1 (e) 3-Fluoromethcathinone;
- 2 (f) 4-Fluoromethcathinone;
- 3 (g) Mephedrone, or 4-methylmethcathinone;
- 4 (h) Methcathinone;
- 5 (i) 4-methoxymethcathinone;
- 6 (j) (+,-)cis-4-methylaminorex
- 7 ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 8 (k) Methylenedioxypropylvalerone, MDPV, or
- 9 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
- 10 (l) Methyldone, or 3,4-Methylenedioxypropylmethcathinone;
- 11 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
- 12 (n) N-ethylamphetamine;
- 13 (o) N,N-dimethylamphetamine;
- 14 (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22;
- 15 QUPIC);
- 16 (q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-
- 17 carboxylate (5-fluoro-PB-22; 5F-PB-22);
- 18 (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
- 19 fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA);
- 20 (s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
- 21 indazole-3-carboxamide (ADB-PINACA);

22 [(7)] (8) A temporary listing of substances subject to

23 emergency scheduling under federal law shall include any

24 material, compound, mixture or preparation which contains any

25 quantity of the following substances:

- 26 (a) [N-(1-benzyl-4-piperidyl)-N phenylpropanamide
- 27 (benzylfentanyl), its optical isomers, salts and salts of
- 28 isomers;

1 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
2 (thenylfentanyl), its optical isomers, salts and salts of
3 isomers] (1-pentyl-1H-indol-3-yl)(2,2,3,3-
4 tetramethylcyclopropyl)methanone, its optical, positional, and
5 geometric isomers, salts, and salts of isomers;

6 (b) [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-
7 tetramethylcyclopropyl)methanone, its optical, positional, and
8 geometric isomers, salts, and salts of isomers;

9 (c) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its
10 optical, positional, and geometric isomers, salts, and salts of
11 isomers;

12 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
13 methoxybenzyl)ethanamine, its optical, positional, and geometric
14 isomers, salts, and salts of isomers;

15 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
16 methoxybenzyl)ethanamine, its optical, positional, and geometric
17 isomers, salts, and salts of isomers;

18 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
19 methoxybenzyl)ethanamine, its optical, positional, and geometric
20 isomers, salts, and salts of isomers;

21 (g) 4-methyl-N-ethylcathinone, its optical, positional, and
22 geometric isomers, salts, and salts of isomers;

23 (h) 4-methyl-alpha-pyrrolidinopropiophenone, its optical,
24 positional, and geometric isomers, salts, and salts of isomers;

25 (i) Alpha-pyrrolidinopentiophenone, its optical,
26 positional, and geometric isomers, salts, and salts of isomers;

27 (j) Butylone, its optical, positional, and geometric
28 isomers, salts, and salts of isomers;

1 (k) Pentedrone, its optical, positional, and geometric
2 isomers, salts, and salts of isomers;

3 (l) Pentylone, its optical, positional, and geometric
4 isomers, salts, and salts of isomers;

5 (m) Naphyrone, its optical, positional, and geometric
6 isomers, salts, and salts of isomers;

7 (n) Alpha-pyrrolidinobutiophenone, its optical, positional,
8 and geometric isomers, salts, and salts of isomers;

9 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
10 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
11 positional, and geometric isomers, salts, and salts of isomers;

12 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
13 indazole-3-carboxamide, its optical, positional, and geometric
14 isomers, salts, and salts of isomers;

15 (q) [1-(5-fluoropentyl)-1H-indazole-3-yl](naphthalen-1-
16 yl)methanone, its optical, positional, and geometric isomers,
17 salts, and salts of isomers;

18 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-
19 yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and
20 salts of isomers, esters, and ethers;

21 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its
22 optical, positional, and geometric isomers, salts, and salts of
23 isomers;

24 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
25 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
26 positional, and geometric isomers, salts, and salts of isomers;

27 (u) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
28 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and

1 geometric isomers, salts, and salts of isomers;
2 (v) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
3 carboxamido)-3-methylbutanoate, its optical, positional, and
4 geometric isomers, salts, and salts of isomers;
5 (w) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-
6 carboxamide, its optical, positional, and geometric isomers,
7 salts, and salts of isomers;
8 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-
9 fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional,
10 and geometric isomers, salts, and salts of isomers;
11 (y) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
12 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
13 geometric isomers, salts, and salts of isomers;
14 (z) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
15 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
16 geometric isomers, salts, and salts of isomers;
17 (aa) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
18 yl)propionamide, its isomers, esters, ethers, salts, and salts of
19 isomers, esters, and ethers;
20 (bb) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
21 carboxamido)-3-methylbutanoate, its optical, positional, and
22 geometric isomers, salts, and salts of isomers;
23 (cc) N-(1-phenethylpiperidin-4-yl)-N-
24 phenylcyclopropanecarboxamide, its isomers, esters, ethers,
25 salts, and salts of isomers, esters, and ethers;
26 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its
27 isomers, esters, ethers, salts, and salts of isomers, esters, and
28 ethers;

1 (ee) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-
2 yl)butyramide, its isomers, esters, ethers, salts, and salts of
3 isomers, esters, and ethers;

4 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
5 yl)butyramide, its isomers, esters, ethers, salts, and salts of
6 isomers, esters, and ethers;

7 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-
8 yl)isobutyramide, its isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers;

10 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide,
11 its isomers, esters, ethers, salts, and salts of isomers, esters,
12 and ethers;

13 (ii) N-(1-phenethylpiperidin-4-yl)-N-
14 phenylcyclopentanecarboxamide, its isomers, esters, ethers,
15 salts, and salts of isomers, esters, and ethers;

16 (jj) Fentanyl-related substances, their isomers, esters,
17 ethers, salts, and salts of isomers, esters, and ethers.

18 Fentanyl-related substance shall mean any substance not otherwise
19 listed under another Drug Enforcement Administration Controlled
20 Substance Code Number, and for which no exemption or approval is
21 in effect under section 505 of the Federal Food, Drug, and
22 Cosmetic Act, 21 U.S.C. Section 355, that is structurally related
23 to fentanyl by one or more of the following modifications:

24 a. Replacement of the phenyl portion of the phenethyl group
25 by any monocycle, whether or not further substituted in or on the
26 monocycle;

27 b. Substitution in or on the phenethyl group with alkyl,
28 alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro

1 groups;

2 c. Substitution in or on the piperidine ring with alkyl,
3 alkenyl, alkoxyl, ester, ether, hydroxyl, amino or nitro groups;

4 d. Replacement of the aniline ring with any aromatic
5 monocycle, whether or not further substituted in or on the
6 aromatic monocycle; or

7 e. Replacement of the N-propionyl group by another acyl
8 group;

9 (kk) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
10 carboxylate, its optical, positional, and geometric isomers,
11 salts, and salts of isomers (NM2201; CBL2201);

12 (ll) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-
13 fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional,
14 and geometric isomers, salts, and salts of isomers (5F-AB-
15 PINACA);

16 (mm) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-
17 3-carboxamide, its optical, positional, and geometric isomers,
18 salts, and salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-
19 BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

20 (nn) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
21 carboxamido)-3-methylbutanoate, its optical, positional, and
22 geometric isomers, salts, and salts of isomers (MMB-CHMICA, AMB-
23 CHMICA);

24 (oo) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
25 pyrrolo[2,3-b]pyridine-3-carboxamide, its optical, positional,
26 and geometric isomers, salts, and salts of isomers (5F-CUMYL-
27 P7AICA);

28 (pp) N-ethylpentylone, its optical, positional, and

1 geometric isomers, salts, and salts of isomers (ephylone, 1-(1,3-
2 benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one;

3 (qq) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
4 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
5 geometric isomers, salts, and salts of isomers (trivial name: 5F-
6 EDMB-PINACA);

7 (rr) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-
8 3,3-dimethylbutanoate, its optical, positional, and geometric
9 isomers, salts, and salts of isomers (trivial name: 5F-MDMB-
10 PICA);

11 (ss) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-
12 carboxamide, its optical, positional, and geometric isomers,
13 salts, and salts of isomers (trivial names: FUB-AKB48; FUB-
14 APINACA; AKB48 N-(4-FLUOROBENZYL));

15 (tt) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
16 indazole-3-carboxamide, its optical, positional, and geometric
17 isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-
18 PINACA; SGT-25);

19 (uu) (1-(4-fluorobenzyl)-1H-indol-3-yl) (2,2,3,3-
20 tetramethylcyclopropyl) methanone, its optical, positional, and
21 geometric isomers, salts, and salts of isomers (trivial name:
22 FUB-144);

23 (vv) N-ethylhexedrone, its optical, positional, and
24 geometric isomers, salts, and salts of isomers (Other name: 2-
25 (ethylamino)-1-phenylhexan-1-one);

26 (ww) α -pyrrolidinohexanophenone, its optical,
27 positional, and geometric isomers, salts, and salts of isomers
28 (Other names: α -PHP; α -pyrrolidinohexiophenone; 1-phenyl-2-

1 (pyrrolidin-1-yl)hexan-1-one);

2 (xx) 4-methyl-*alpha*-ethylaminopentiophenone, its optical,
3 positional, and geometric isomers, salts, and salts of isomers;
4 (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-
5 one);

6 (yy) 4'-methyl-*alpha*-pyrrolidinohexiophenone, its optical,
7 positional, and geometric isomers, salts, and salts of isomers
8 (Other names: MPHP; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-
9 (4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

10 (zz) *alpha*-pyrrolidinoheptaphenone, its optical,
11 positional, and geometric isomers, salts, and salts of isomers
12 (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one);

13 (aaa) 4'-chloro-*alpha*-pyrrolidinovalerophenone, its
14 optical, positional, and geometric isomers, salts, and salts of
15 isomers (Other names: 4-chloro- α -PVP; 4'-chloro-*alpha*-
16 pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-
17 yl)pentan-1-one);

18 [(8)] (9) Khat, to include all parts of the plant presently
19 classified botanically as *catha edulis*, whether growing or not;
20 the seeds thereof; any extract from any part of such plant; and
21 every compound, manufacture, salt, derivative, mixture, or
22 preparation of the plant, its seed or extracts.

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

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

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

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

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

5 (1) Any of the following substances whether produced
6 directly or indirectly by extraction from substances of vegetable
7 origin, or independently by means of chemical synthesis, or by
8 combination of extraction and chemical synthesis:

9 (a) Opium and opiate; and any salt, compound, derivative or
10 preparation of opium or opiate, excluding apomorphine,
11 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeffene,
12 naloxegol, naloxone, and naltrexone, and their respective salts,
13 but including the following:

- 14 a. Raw opium;
- 15 b. Opium extracts;
- 16 c. Opium fluid;
- 17 d. Powdered opium;
- 18 e. Granulated opium;
- 19 f. Tincture of opium;
- 20 g. Codeine;
- 21 h. Dihydroetorphine;
- 22 i. Ethylmorphine;
- 23 [i.] j. Etorphine hydrochloride;
- 24 [j.] k. Hydrocodone;
- 25 [k.] l. Hydromorphone;
- 26 [l.] m. Metopon;
- 27 [m.] n. Morphine;
- 28 [n.] o. Oripavine;

- 1 p. Oxycodone;
- 2 [o.] q. Oxymorphone;
- 3 [p.] r. Thebaine;

4 (b) Any salt, compound, derivative, or preparation thereof
5 which is chemically equivalent or identical with any of the
6 substances referred to in this subdivision, but not including the
7 isoquinoline alkaloids of opium;

8 (c) Opium poppy and poppy straw;

9 (d) Coca leaves and any salt, compound, derivative, or
10 preparation of coca leaves, and any salt, compound, derivative,
11 or preparation thereof which is chemically equivalent or
12 identical with any of these substances, but not including the
13 following:

14 a. Decocainized coca leaves or extractions of coca leaves,
15 which extractions do not contain cocaine or ecgonine; or

16 b. Ioflupane;

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

20 (2) Any of the following opiates, including their isomers,
21 esters, ethers, salts, and salts of isomers, whenever the
22 existence of these isomers, esters, ethers, and salts is possible
23 within the specific chemical designation, dextrorphan and
24 levopropoxyphene excepted:

25 (a) Alfentanil;

26 (b) Alphaprodine;

27 (c) Anileridine;

28 (d) Bezitramide;

1 (e) Bulk dextropropoxyphene;
2 (f) Carfentanil;
3 (g) Dihydrocodeine;
4 (h) Diphenoxylate;
5 (i) Fentanyl;
6 (j) Isomethadone;
7 (k) Levo-alphaacetylmethadol;
8 (l) Levomethorphan;
9 (m) Levorphanol;
10 (n) Metazocine;
11 (o) Methadone;
12 (p) [Meperidine;
13 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
14 4-diphenylbutane;
15 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
16 1-diphenylpropane-carboxylic acid;
17 [(s)] (r) Pethidine (meperidine);
18 [(t)] (s) Pethidine-Intermediate-A,
19 4-cyano-1-methyl-4-phenylpiperidine;
20 [(u)] (t) Pethidine-Intermediate-B,
21 ethyl-4-phenylpiperidine-4-carboxylate;
22 [(v)] (u) Pethidine-Intermediate-C,
23 1-methyl-4-phenylpiperidine-4-carboxylic acid;
24 [(w)] (v) Phenazocine;
25 [(x)] (w) Piminodine;
26 [(y)] (x) Racemethorphan;
27 [(z)] (y) Racemorphan;
28 [(aa)] (z) Remifentanil;

1 [(bb)] (aa) Sufentanil;

2 [(cc)] (bb) Tapentadol;

3 (cc) Thiafentanil;

4 (3) Any material, compound, mixture, or preparation which
5 contains any quantity of the following substances having a
6 stimulant effect on the central nervous system:

7 (a) Amphetamine, its salts, optical isomers, and salts of
8 its optical isomers;

9 (b) Lisdexamfetamine, its salts, isomers, and salts of its
10 isomers;

11 (c) Methamphetamine, its salts, isomers, and salts of its
12 isomers;

13 (d) Phenmetrazine and its salts;

14 (e) Methylphenidate;

15 (4) Any material, compound, mixture, or preparation which
16 contains any quantity of the following substances having a
17 depressant effect on the central nervous system, including its
18 salts, isomers, and salts of isomers whenever the existence of
19 those salts, isomers, and salts of isomers is possible within the
20 specific chemical designation:

21 (a) Amobarbital;

22 (b) Glutethimide;

23 (c) Pentobarbital;

24 (d) Phencyclidine;

25 (e) Secobarbital;

26 (5) [Any material or compound which contains any quantity
27 of nabilone] Hallucinogenic substances:

28 (a) Any material or compound which contains any quantity of

1 nabilone;

2 (b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an
3 oral solution in a drug product approved for marketing by the
4 U.S. Food and Drug Administration;

5 (6) Any material, compound, mixture, or preparation which
6 contains any quantity of the following substances:

7 (a) Immediate precursor to amphetamine and methamphetamine:
8 Phenylacetone;

9 (b) Immediate precursors to phencyclidine (PCP):

10 a. 1-phenylcyclohexylamine;

11 b. 1-piperidinocyclohexanecarbonitrile (PCC);

12 (c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-
13 4-piperidine (ANPP);

14 (7) Any material, compound, mixture, or preparation which
15 contains any quantity of the following alkyl nitrites:

16 (a) Amyl nitrite;

17 (b) Butyl nitrite.

18 5. The department of health and senior services shall place
19 a substance in Schedule III if it finds that:

20 (1) The substance has a potential for abuse less than the
21 substances listed in Schedules I and II;

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

24 (3) Abuse of the substance may lead to moderate or low
25 physical dependence or high psychological dependence.

26 6. The controlled substances listed in this subsection are
27 included in Schedule III:

28 (1) Any material, compound, mixture, or preparation which

1 contains any quantity of the following substances having a
2 potential for abuse associated with a stimulant effect on the
3 central nervous system:

- 4 (a) Benzphetamine;
- 5 (b) Chlorphentermine;
- 6 (c) Clortermine;
- 7 (d) Phendimetrazine;

8 (2) Any material, compound, mixture or preparation which
9 contains any quantity or salt of the following substances or
10 salts having a depressant effect on the central nervous system:

11 (a) Any material, compound, mixture or preparation which
12 contains any quantity or salt of the following substances
13 combined with one or more active medicinal ingredients:

- 14 a. Amobarbital;
- 15 b. Secobarbital;
- 16 c. Pentobarbital;

17 (b) Any suppository dosage form containing any quantity or
18 salt of the following:

- 19 a. Amobarbital;
- 20 b. Secobarbital;
- 21 c. Pentobarbital;

22 (c) Any substance which contains any quantity of a
23 derivative of barbituric acid or its salt;

- 24 (d) Chlorhexadol;
- 25 (e) Embutramide;

26 (f) Gamma hydroxybutyric acid and its salts, isomers, and
27 salts of isomers contained in a drug product for which an
28 application has been approved under Section 505 of the federal

1 Food, Drug, and Cosmetic Act;

2 (g) Ketamine, its salts, isomers, and salts of isomers;

3 (h) Lysergic acid;

4 (i) Lysergic acid amide;

5 (j) Methyprylon;

6 (k) Perampanel, and its salts, isomers, and salts of

7 isomers;

8 (l) Sulfondiethylmethane;

9 [(1)] (m) Sulfonethylmethane;

10 [(m)] (n) Sulfonmethane;

11 [(n)] (o) Tiletamine and zolazepam or any salt thereof;

12 (3) Nalorphine;

13 (4) Any material, compound, mixture, or preparation

14 containing limited quantities of any of the following narcotic

15 drugs or their salts:

16 (a) Not more than 1.8 grams of codeine per one hundred

17 milliliters or not more than ninety milligrams per dosage unit,

18 with an equal or greater quantity of an isoquinoline alkaloid of

19 opium;

20 (b) Not more than 1.8 grams of codeine per one hundred

21 milliliters or not more than ninety milligrams per dosage unit

22 with one or more active, nonnarcotic ingredients in recognized

23 therapeutic amounts;

24 (c) [Not more than three hundred milligrams of hydrocodone

25 per one hundred milliliters or not more than fifteen milligrams

26 per dosage unit, with a fourfold or greater quantity of an

27 isoquinoline alkaloid of opium;

28 (d) Not more than three hundred milligrams of hydrocodone

1 per one hundred milliliters or not more than fifteen milligrams
2 per dosage unit, with one or more active nonnarcotic ingredients
3 in recognized therapeutic amounts;

4 (e)] Not more than 1.8 grams of dihydrocodeine per one
5 hundred milliliters or not more than ninety milligrams per dosage
6 unit, with one or more active, nonnarcotic ingredients in
7 recognized therapeutic amounts;

8 [(f)] (d) Not more than three hundred milligrams of
9 ethylmorphine per one hundred milliliters or not more than
10 fifteen milligrams per dosage unit, with one or more active,
11 nonnarcotic ingredients in recognized therapeutic amounts;

12 [(g)] (e) Not more than five hundred milligrams of opium
13 per one hundred milliliters or per one hundred grams or not more
14 than twenty-five milligrams per dosage unit, with one or more
15 active nonnarcotic ingredients in recognized therapeutic amounts;

16 [(h)] (f) Not more than fifty milligrams of morphine per
17 one hundred milliliters or per one hundred grams, with one or
18 more active, nonnarcotic ingredients in recognized therapeutic
19 amounts;

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

23 Buprenorphine;

24 (6) Anabolic steroids. Any drug or hormonal substance,
25 chemically and pharmacologically related to testosterone (other
26 than estrogens, progestins, corticosteroids, and
27 dehydroepiandrosterone) that promotes muscle growth, except an
28 anabolic steroid which is expressly intended for administration

1 through implants to cattle or other nonhuman species and which
2 has been approved by the Secretary of Health and Human Services
3 for that administration. If any person prescribes, dispenses, or
4 distributes such steroid for human use, such person shall be
5 considered to have prescribed, dispensed, or distributed an
6 anabolic steroid within the meaning of this subdivision. Unless
7 specifically excepted or unless listed in another schedule, any
8 material, compound, mixture or preparation containing any
9 quantity of the following substances, including its salts, esters
10 and ethers:

11 (a) [3 β ,17-dihydroxy-5 α -androstane]

12 3 β ,17 β -dihydroxy-5 α -androstane;

13 (b) 3 α ,17 β -dihydroxy-5 α -androstane;

14 (c) 5 α -androstan-3,17-dione;

15 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);

16 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);

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

18 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);

19 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);

20 (i) 4-androstenedione (androst-4-en-3,17-dione);

21 (j) 5-androstenedione (androst-5-en-3,17-dione);

22 (k) Bolasterone (7 α ,

23 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

24 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);

25 (m) Boldione;

26 (n) Calusterone (7 β ,

27 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

28 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);

1 (p) Dehydrochloromethyltestosterone
2 (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
3 (q) Desoxymethyltestosterone;
4 (r) [Δ 1-dihydrotestosterone (a.k.a.
5 '1-testosterone') (17 β -hydroxy-5 α -androst-1-en-3-one);
6 (s)] 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
7 [(t)] (s) Drostanolone
8 (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
9 [(u)] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
10 [(v)] (u) Fluoxymesterone
11 (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
12 [(w)] (v) Formebolone
13 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
14 [(x)] (w) Furazabol
15 (17 α -methyl-17 β -hydroxyandrostan[2,3-c]-furazan);
16 [(y)] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
17 [(z)] (y) 4-hydroxytestosterone
18 (4,17 β -dihydroxy-androst-4-en-3-one);
19 [(aa)] (z) 4-hydroxy-19-nortestosterone
20 (4,17 β -dihydroxy-estr-4-en-3-one);
21 [(bb)] (aa) Mestanolone
22 [(17 α -methyl-17 β -hydroxy-5-androstan-3-one)]
23 (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
24 [(cc)] (bb) Mesterolone
25 [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)] (1 α -
26 methyl-17 β -hydroxy-[5 α]-androstan-3-one);
27 [(dd)] (cc) Methandienone
28 (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);

1 [(ee)] (dd) Methandriol
2 (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
3 [(ff)] (ee) Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -
4 ol-3-one);
5 (ff) Methenolone
6 (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
7 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
8 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
9 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
10 (jj) 17 α -methyl-4-hydroxynandrolone
11 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
12 (kk) Methyldienolone
13 (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
14 (ll) **[Methyltrienolone**
15 (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one)]
16 Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-
17 one));
18 (mm) Methyltestosterone
19 (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
20 (nn) Mibolerone
21 (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
22 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
23 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a.
24 '17- α -methyl-1-testosterone');
25 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
26 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
27 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
28 (ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-

1 diene-3,17-dione);
2 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
3 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
4 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
5 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
6 (xx) Norbolethone
7 (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
8 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
9 (zz) Norethandrolone
10 (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
11 (aaa) Normethandrolone
12 (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
13 (bbb) Oxandrolone
14 (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
15 (ccc) Oxymesterone
16 (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
17 (ddd) [Oxymethalone
18 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one)]
19 Oxymetholone
20 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
21 (eee) Prostanozolol (17 β -hydroxy-5 α -androstan[3,2-
22 c]pyrazole);
23 (fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-
24 testosterone) (17 β -hydroxy-5 α -androst-1-en-3-one));
25 (ggg) Stanozolol
26 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
27 [(fff)] (hhh) Stenbolone
28 (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);

1 [(ggg)] (iii) Testolactone
2 (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
3 lactone);

4 [(hhh)] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);
5 [(iii)] (kkk) Tetrahydrogestrinone
6 (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);

7 [(jjj)] (lll) Trenbolone
8 (17 β -hydroxyestr-4,9,11-trien-3-one);

9 [(kkk)] (mmm) Any salt, ester, or ether of a drug or
10 substance described or listed in this subdivision, except an
11 anabolic steroid which is expressly intended for administration
12 through implants to cattle or other nonhuman species and which
13 has been approved by the Secretary of Health and Human Services
14 for that administration;

15 (7) Dronabinol (synthetic) in sesame oil and encapsulated
16 in a soft gelatin capsule in a United States Food and Drug
17 Administration approved drug product;

18 (8) The department of health and senior services may except
19 by rule any compound, mixture, or preparation containing any
20 stimulant or depressant substance listed in subdivisions (1) and
21 (2) of this subsection from the application of all or any part of
22 sections 195.010 to 195.320 if the compound, mixture, or
23 preparation contains one or more active medicinal ingredients not
24 having a stimulant or depressant effect on the central nervous
25 system, and if the admixtures are included therein in
26 combinations, quantity, proportion, or concentration that vitiate
27 the potential for abuse of the substances which have a stimulant
28 or depressant effect on the central nervous system.

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

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

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

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

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

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

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

18 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
19 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

28 a. Not more than two hundred milligrams of codeine per one

1 hundred milliliters or per one hundred grams;

2 b. Not more than one hundred milligrams of dihydrocodeine
3 per one hundred milliliters or per one hundred grams;

4 c. Not more than one hundred milligrams of ethylmorphine
5 per one hundred milliliters or per one hundred grams;

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

11 (a) Alfaxalone;

12 (b) Alprazolam;

13 [(b)] (c) Barbital;

14 [(c)] (d) Bromazepam;

15 [(d)] (e) Camazepam;

16 [(e)] (f) Carisoprodol;

17 (g) Chloral betaine;

18 [(f)] (h) Chloral hydrate;

19 [(g)] (i) Chlordiazepoxide;

20 [(h)] (j) Clobazam;

21 [(i)] (k) Clonazepam;

22 [(j)] (l) Clorazepate;

23 [(k)] (m) Clotiazepam;

24 [(l)] (n) Cloxazolam;

25 [(m)] (o) Delorazepam;

26 [(n)] (p) Diazepam;

27 [(o)] (q) Dichloralphenazone;

28 [(p)] (r) Estazolam;

1 [(q)] (s) Ethchlorvynol;
2 [(r)] (t) Ethinamate;
3 [(s)] (u) Ethyl loflazepate;
4 [(t)] (v) Fludiazepam;
5 [(u)] (w) Flunitrazepam;
6 [(v)] (x) Flurazepam;
7 [(w)] (y) Fospropofol;
8 [(x)] (z) Halazepam;
9 [(y)] (aa) Haloxazolam;
10 [(z)] (bb) Ketazolam;
11 [(aa)] (cc) Loprazolam;
12 [(bb)] (dd) Lorazepam;
13 [(cc)] (ee) Lormetazepam;
14 [(dd)] (ff) Mebutamate;
15 [(ee)] (gg) Medazepam;
16 [(ff)] (hh) Meprobamate;
17 [(gg)] (ii) Methohexital;
18 [(hh)] (jj) Methylphenobarbital (mephobarbital);
19 [(ii)] (kk) Midazolam;
20 [(jj)] (ll) Nimetazepam;
21 [(kk)] (mm) Nitrazepam;
22 [(ll)] (nn) Nordiazepam;
23 [(mm)] (oo) Oxazepam;
24 [(nn)] (pp) Oxazolam;
25 [(oo)] (qq) Paraldehyde;
26 [(pp)] (rr) Petrichloral;
27 [(qq)] (ss) Phenobarbital;

1 [(rr)] (tt) Pinazepam;
2 [(ss)] (uu) Prazepam;
3 [(tt)] (vv) Quazepam;
4 [(uu)] (ww) Suvorexant;
5 (xx) Temazepam;
6 [(vv)] (yy) Tetrazepam;
7 [(ww)] (zz) Triazolam;
8 [(xx)] (aaa) Zaleplon;
9 [(yy)] (bbb) Zolpidem;
10 [(zz)] (ccc) Zopiclone;

11 (3) Any material, compound, mixture, or preparation which
12 contains any quantity of the following substance including its
13 salts, isomers and salts of isomers whenever the existence of
14 such salts, isomers and salts of isomers is possible:

15 fenfluramine;

16 (4) Any material, compound, mixture, or preparation which
17 contains any quantity of the following substances, including its
18 salts, isomers, and salts of isomers, whenever the existence of
19 such salts, isomers, and salts of isomers is possible:

20 Lorcaserin;

21 (5) Any material, compound, mixture or preparation
22 containing any quantity of the following substances having a
23 stimulant effect on the central nervous system, including their
24 salts, isomers and salts of isomers:

- 25 (a) Cathine ((+)-norpseudoephedrine);
26 (b) Diethylpropion;
27 (c) Fencamfamin;
28 (d) Fenproporex;

- 1 (e) Mazindol;
2 (f) Mefenorex;
3 (g) Modafinil;
4 (h) Pemoline, including organometallic complexes and
5 chelates thereof;
6 (i) Phentermine;
7 (j) Pipradrol;
8 (k) Sibutramine;
9 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

10 [(5)] (6) Any material, compound, mixture or preparation
11 containing any quantity of the following substance, including its
12 salts:

- 13 (a) Butorphanol (including its optical isomers);
14 (b) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-
15 dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-
16 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its
17 optical isomers) and its salts, isomers, and salts of isomers;
18 (c) Pentazocine;

19 [(6)] (7) Ephedrine, its salts, optical isomers and salts
20 of optical isomers, when the substance is the only active
21 medicinal ingredient;

22 [(7)] (8) The department of health and senior services may
23 except by rule any compound, mixture, or preparation containing
24 any depressant substance listed in subdivision (1) of this
25 subsection from the application of all or any part of sections
26 195.010 to 195.320 and sections 579.015 to 579.086 if the
27 compound, mixture, or preparation contains one or more active
28 medicinal ingredients not having a depressant effect on the

1 central nervous system, and if the admixtures are included
2 therein in combinations, quantity, proportion, or concentration
3 that vitiate the potential for abuse of the substances which have
4 a depressant effect on the central nervous system.

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

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

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

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

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

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

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

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

28 (c) Not more than five-tenths milligram of difenoxin and

1 not less than twenty-five micrograms of atropine sulfate per
2 dosage unit;

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

7 (3) Any compound, mixture, or preparation containing any
8 detectable quantity of pseudoephedrine or its salts or optical
9 isomers, or salts of optical isomers or any compound, mixture, or
10 preparation containing any detectable quantity of ephedrine or
11 its salts or optical isomers, or salts of optical isomers;

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

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

19 (b) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-
20 carbamic acid ethyl ester];

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

23 [(b)] (d) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic
24 acid];

25 (5) Any drug product in finished dosage formulation that
26 has been approved by the U.S. Food and Drug Administration that
27 contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-
28 cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis

1 and no more than 0.1 percent (w/w) residual tetrahydro
2 cannabinols.

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

6 (1) All packages of any compound, mixture, or preparation
7 containing any detectable quantity of pseudoephedrine, its salts
8 or optical isomers, or salts of optical isomers or ephedrine, its
9 salts or optical isomers, or salts of optical isomers, shall be
10 offered for sale only from behind a pharmacy counter where the
11 public is not permitted, and only by a registered pharmacist or
12 registered pharmacy technician; and

13 (2) Any person purchasing, receiving or otherwise acquiring
14 any compound, mixture, or preparation containing any detectable
15 quantity of pseudoephedrine, its salts or optical isomers, or
16 salts of optical isomers or ephedrine, its salts or optical
17 isomers, or salts of optical isomers shall be at least eighteen
18 years of age; and

19 (3) The pharmacist, intern pharmacist, or registered
20 pharmacy technician shall require any person, prior to such
21 person's purchasing, receiving or otherwise acquiring such
22 compound, mixture, or preparation to furnish suitable photo
23 identification that is issued by a state or the federal
24 government or a document that, with respect to identification, is
25 considered acceptable and showing the date of birth of the
26 person;

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

1 12. Pharmacists, intern pharmacists, and registered
2 pharmacy technicians shall implement and maintain an electronic
3 log of each transaction. Such log shall include the following
4 information:

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

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

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

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

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

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

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

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

27 17. The scheduling of substances specified in subdivision
28 (3) of subsection 10 of this section and subsections 11, 12, 14,

1 and 15 of this section shall not apply to any compounds,
2 mixtures, or preparations that are in liquid or liquid-filled gel
3 capsule form or to any compound, mixture, or preparation
4 specified in subdivision (3) of subsection 10 of this section
5 which must be dispensed, sold, or distributed in a pharmacy
6 pursuant to a prescription.

7 18. The manufacturer of a drug product or another
8 interested party may apply with the department of health and
9 senior services for an exemption from this section. The
10 department of health and senior services may grant an exemption
11 by rule from this section if the department finds the drug
12 product is not used in the illegal manufacture of methamphetamine
13 or other controlled or dangerous substances. The department of
14 health and senior services shall rely on reports from law
15 enforcement and law enforcement evidentiary laboratories in
16 determining if the proposed product can be used to manufacture
17 illicit controlled substances.

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

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

26 21. Logs of transactions required to be kept and maintained
27 by this section and section 195.417 shall create a rebuttable
28 presumption that the person whose name appears in the logs is the

1 person whose transactions are recorded in the logs.

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

6 2. Within any thirty-day period, no person shall sell,
7 dispense, or otherwise provide to the same individual, and no
8 person shall purchase, receive, or otherwise acquire more than
9 the following amount: any number of packages of any drug product
10 containing any detectable amount of ephedrine,
11 phenylpropanolamine, or pseudoephedrine, or any of their salts or
12 optical isomers, or salts of 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]~~ seven and two-tenths
18 grams, without regard to the number of transactions.

19 3. Within any twenty-four-hour period, no pharmacist,
20 intern pharmacist, or registered pharmacy technician shall sell,
21 dispense, or otherwise provide to the same individual, and no
22 person shall purchase, receive, or otherwise acquire more than
23 the following amount: any number of packages of any drug product
24 containing any detectable amount of ephedrine,
25 phenylpropanolamine, or pseudoephedrine, or any of their salts or
26 optical isomers, or salts of optical isomers, either as:

27 (1) The sole active ingredient; or

28 (2) One of the active ingredients of a combination drug; or

1 (3) A combination of any of the products specified in
2 subdivisions (1) and (2) of this subsection;
3 in any total amount greater than three and six-tenths grams
4 without regard to the number of transactions.

5 4. All packages of any compound, mixture, or preparation
6 containing any detectable quantity of ephedrine,
7 phenylpropanolamine, or pseudoephedrine, or any of their salts or
8 optical isomers, or salts of optical isomers, except those that
9 are excluded from Schedule V in subsection 17 or 18 of section
10 195.017, shall be offered for sale only from behind a pharmacy
11 counter where the public is not permitted, and only by a
12 registered pharmacist or registered pharmacy technician under
13 section 195.017.

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

18 6. No prescription shall be required for the dispensation,
19 sale, or distribution of any drug product containing any
20 detectable amount of ephedrine, phenylpropanolamine, or
21 pseudoephedrine, or any of their salts or optical isomers, or
22 salts of optical isomers, in an amount within the limits
23 described in subsections 2 and 3 of this section; provided, that
24 a valid prescription shall be required for amounts in excess of
25 such limits. The provisions of this subsection shall not apply
26 in any calendar year in which the methamphetamine laboratory
27 seizure incidents in this state, as reported by the division of
28 drug and crime control within the Missouri state highway patrol,

1 exceed three hundred incidents for the most recent calendar year
2 for which such data is reported by the division and made publicly
3 available.

4 7. This section shall supersede and preempt any local
5 ordinances or regulations, including any ordinances or
6 regulations enacted by any political subdivision of the state.
7 This section shall not apply to the sale of any animal feed
8 products containing ephedrine or any naturally occurring or
9 herbal ephedra or extract of ephedra.

10 [7.] 8. All logs, records, documents, and electronic
11 information maintained for the dispensing of these products shall
12 be open for inspection and copying by municipal, county, and
13 state or federal law enforcement officers whose duty it is to
14 enforce the controlled substances laws of this state or the
15 United States.

16 [8.] 9. All persons who dispense or offer for sale
17 pseudoephedrine and ephedrine products, except those that are
18 excluded from Schedule V in subsection 17 or 18 of section
19 195.017, shall ensure that all such products are located only
20 behind a pharmacy counter where the public is not permitted.

21 [9.] 10. The penalty for a knowing or reckless violation of
22 this section is found in section 579.060.

23 195.805. 1. No edible marijuana-infused product,
24 packaging, or logo sold in Missouri pursuant to article XIV of
25 the Missouri Constitution shall be designed in the shape of a
26 human, animal, or fruit, including realistic, artistic,
27 caricature, or cartoon renderings. However, geometric shapes,
28 including, but not limited to, circles, squares, rectangles, and

1 triangles, shall be permitted.

2 2. Each package containing an edible marijuana-infused
3 product with ten or more milligrams of tetrahydrocannabinols
4 (THC) shall be stamped with a universal symbol for such products,
5 which shall consist of the following:

6 (1) A diamond containing the letters "THC";

7 (2) The letter "M" located under the "THC" within the
8 diamond, to signify that the product is for medical purposes; and

9 (3) The number of milligrams of THC in the package.

10
11 The universal symbol shall be placed on the front of the package
12 in red and white print and shall measure one-half inch by one-
13 half inch from point to point.

14 3. Any licensed or certified entity regulated by the
15 department of health and senior services pursuant to article XIV
16 of the Missouri Constitution found to have violated the
17 provisions of this section shall be subject to department
18 sanctions, including an administrative penalty, in accordance
19 with the regulations promulgated by the department pursuant to
20 article XIV of the Missouri Constitution.

21 4. The department shall promulgate rules and regulations
22 prohibiting edible marijuana-infused products designed to appeal
23 to persons under eighteen years of age, as well as promulgate
24 rules and regulations to establish a process by which a licensed
25 or certified entity may seek approval of an edible product
26 design, package, or label prior to such product's manufacture or
27 sale in order to determine compliance with the provisions of this
28 section and any rules promulgated pursuant to this section. Any

1 rule or portion of a rule, as that term is defined in section
2 536.010 that is created under the authority delegated in this
3 section shall become effective only if it complies with and is
4 subject to all of the provisions of chapter 536 and, if
5 applicable, section 536.028. This section and chapter 536 are
6 nonseverable and if any of the powers vested with the general
7 assembly pursuant to chapter 536 to review, to delay the
8 effective date, or to disapprove and annul a rule are
9 subsequently held unconstitutional, then the grant of rulemaking
10 authority and any rule proposed or adopted after August 28, 2020,
11 shall be invalid and void.

12 195.815. 1. The department of health and senior services
13 shall require all officers, managers, contractors, employees, and
14 other support staff of licensed or certified medical marijuana
15 facilities, and all owners of such medical marijuana facilities
16 who will have access to the facilities or to the facilities'
17 medical marijuana, to submit fingerprints to the Missouri state
18 highway patrol for the purpose of conducting a state and federal
19 fingerprint-based criminal background check.

20 2. The department may require that such fingerprint
21 submissions be made as part of a medical marijuana facility
22 application for licensure or certification, a medical marijuana
23 facility application for renewal of licensure or certification,
24 and an individual's application for an identification card
25 authorizing that individual to be an owner, officer, manager,
26 contractor, employee, or other support staff of a medical
27 marijuana facility.

28 3. Fingerprint cards and any required fees shall be sent to

1 the Missouri state highway patrol's central repository. The
2 fingerprints shall be used for searching the state criminal
3 records repository and shall also be forwarded to the Federal
4 Bureau of Investigation for a federal criminal records search
5 under section 43.540. The Missouri state highway patrol shall
6 notify the department of any criminal history record information
7 or lack of criminal history record information discovered on the
8 individual. Notwithstanding the provisions of section 610.120 to
9 the contrary, all records related to any criminal history
10 information discovered shall be accessible and available to the
11 department.

12 4. As used in this section, the following words shall mean:

13 (1) "Employee", any person performing work or service of
14 any kind or character for hire in a medical marijuana facility;

15 (2) "Medical marijuana facility", an entity licensed or
16 certified by the department of health and senior services, or its
17 successor agency, to acquire, cultivate, process, manufacture,
18 test, store, sell, transport, or deliver medical marijuana;

19 (3) "Other support staff", any person performing work or
20 service of any kind or character, other than employees, on behalf
21 of a medical marijuana facility if such a person would have
22 access to the medical marijuana facility or its medical marijuana
23 or related equipment or supplies.

24 579.060. 1. A person commits the offense of unlawful sale,
25 distribution, or purchase of over-the-counter methamphetamine
26 precursor drugs if he or she knowingly:

27 (1) Sells, distributes, dispenses, or otherwise provides
28 any number of packages of any drug product containing detectable

1 amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or
2 any of their salts, optical isomers, or salts of optical isomers,
3 in a total amount greater than [nine] seven and two-tenths grams
4 to the same individual within a thirty-day period, unless the
5 amount is dispensed, sold, or distributed pursuant to a valid
6 prescription; or

7 (2) Purchases, receives, or otherwise acquires within a
8 thirty-day period any number of packages of any drug product
9 containing any detectable amount of ephedrine,
10 phenylpropanolamine, or pseudoephedrine, or any of their salts or
11 optical isomers, or salts of optical isomers in a total amount
12 greater than [nine] seven and two-tenths grams, without regard to
13 the number of transactions, unless the amount is purchased,
14 received, or acquired pursuant to a valid prescription; or

15 (3) Purchases, receives, or otherwise acquires within a
16 twenty-four-hour period any number of packages of any drug
17 product containing any detectable amount of ephedrine,
18 phenylpropanolamine, or pseudoephedrine, or any of their salts or
19 optical isomers, or salts of optical isomers in a total amount
20 greater than three and six-tenths grams, without regard to the
21 number of transactions, unless the amount is purchased, received,
22 or acquired pursuant to a valid prescription; or

23 (4) Dispenses or offers drug products that are not excluded
24 from Schedule V in subsection 17 or 18 of section 195.017 and
25 that contain detectable amounts of ephedrine,
26 phenylpropanolamine, or pseudoephedrine, or any of their salts,
27 optical isomers, or salts of optical isomers, without ensuring
28 that such products are located behind a pharmacy counter where

1 the public is not permitted and that such products are dispensed
2 by a registered pharmacist or pharmacy technician under
3 subsection 11 of section 195.017; or

4 (5) Holds a retail sales license issued under chapter 144
5 and knowingly sells or dispenses packages that do not conform to
6 the packaging requirements of section 195.418.

7 2. A pharmacist, intern pharmacist, or registered pharmacy
8 technician commits the offense of unlawful sale, distribution, or
9 purchase of over-the-counter methamphetamine precursor drugs if
10 he or she knowingly:

11 (1) Sells, distributes, dispenses, or otherwise provides
12 any number of packages of any drug product containing detectable
13 amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or
14 any of their salts or optical isomers, or salts of optical
15 isomers, in a total amount greater than three and six-tenth grams
16 to the same individual within a twenty-four hour period, unless
17 the amount is dispensed, sold, or distributed pursuant to a valid
18 prescription; or

19 (2) Fails to submit information under subsection 13 of
20 section 195.017 and subsection 5 of section 195.417 about the
21 sales of any compound, mixture, or preparation of products
22 containing detectable amounts of ephedrine, phenylpropanolamine,
23 or pseudoephedrine, or any of their salts, optical isomers, or
24 salts of optical isomers, in accordance with transmission methods
25 and frequency established by the department of health and senior
26 services; or

27 (3) Fails to implement and maintain an electronic log, as
28 required by subsection 12 of section 195.017, of each transaction

1 involving any detectable quantity of pseudoephedrine, its salts,
2 isomers, or salts of optical isomers or ephedrine, its salts,
3 optical isomers, or salts of optical isomers; or

4 (4) Sells, distributes, dispenses or otherwise provides to
5 an individual under eighteen years of age without a valid
6 prescription any number of packages of any drug product
7 containing any detectable quantity of pseudoephedrine, its salts,
8 isomers, or salts of optical isomers, or ephedrine, its salts or
9 optical isomers, or salts of optical isomers.

10 3. Any person who violates the packaging requirements of
11 section 195.418 and is considered the general owner or operator
12 of the outlet where ephedrine, pseudoephedrine, or
13 phenylpropanolamine products are available for sale shall not be
14 penalized if he or she documents that an employee training
15 program was in place to provide the employee who made the
16 unlawful retail sale with information on the state and federal
17 regulations regarding ephedrine, pseudoephedrine, or
18 phenylpropanolamine.

19 4. The offense of unlawful sale, distribution, or purchase
20 of over-the-counter methamphetamine precursor drugs is a class A
21 misdemeanor.

22 579.065. 1. A person commits the offense of trafficking
23 drugs in the first degree if, except as authorized by this
24 chapter or chapter 195, such person knowingly distributes,
25 delivers, manufactures, produces or attempts to distribute,
26 deliver, manufacture or produce:

27 (1) More than thirty grams [but less than ninety grams] of
28 a mixture or substance containing a detectable amount of heroin;

1 (2) More than one hundred fifty grams [but less than four
2 hundred fifty grams] of a mixture or substance containing a
3 detectable amount of coca leaves, except coca leaves and extracts
4 of coca leaves from which cocaine, ecgonine, and derivatives of
5 ecgonine or their salts have been removed; cocaine salts and
6 their optical and geometric isomers, and salts of isomers;
7 ecgonine, its derivatives, their salts, isomers, and salts of
8 isomers; or any compound, mixture, or preparation which contains
9 any quantity of any of the foregoing substances;

10 (3) More than eight grams [but less than twenty-four grams]
11 of a mixture or substance described in subdivision (2) of this
12 subsection which contains cocaine base;

13 (4) More than five hundred milligrams [but less than one
14 gram] of a mixture or substance containing a detectable amount of
15 lysergic acid diethylamide (LSD);

16 (5) More than thirty grams [but less than ninety grams] of
17 a mixture or substance containing a detectable amount of
18 phencyclidine (PCP);

19 (6) More than four grams [but less than twelve grams] of
20 phencyclidine;

21 (7) More than thirty kilograms [but less than one hundred
22 kilograms] of a mixture or substance containing marijuana;

23 (8) More than thirty grams [but less than ninety grams] of
24 any material, compound, mixture, or preparation containing any
25 quantity of the following substances having a stimulant effect on
26 the central nervous system: amphetamine, its salts, optical
27 isomers and salts of its optical isomers; methamphetamine, its
28 salts, optical isomers and salts of its optical isomers;

1 phenmetrazine and its salts; or methylphenidate; [or]

2 (9) More than thirty grams [but less than ninety grams] of
3 any material, compound, mixture, or preparation which contains
4 any quantity of 3,4-methylenedioxymethamphetamine;

5 (10) One gram or more of flunitrazepam for the first
6 offense;

7 (11) Any amount of gamma-hydroxybutyric acid for the first
8 offense; or

9 (12) More than ten milligrams of fentanyl or carfentanil,
10 or any derivative thereof, or any combination thereof, or any
11 compound, mixture, or substance containing a detectable amount of
12 fentanyl or carfentanil, or their optical isomers or analogues.

13 2. The offense of trafficking drugs in the first degree is
14 a class B felony.

15 3. The offense of trafficking drugs in the first degree is
16 a class A felony if the quantity involved is:

17 (1) Ninety grams or more of a mixture or substance
18 containing a detectable amount of heroin; or

19 (2) Four hundred fifty grams or more of a mixture or
20 substance containing a detectable amount of coca leaves, except
21 coca leaves and extracts of coca leaves from which cocaine,
22 ecgonine, and derivatives of ecgonine or their salts have been
23 removed; cocaine salts and their optical and geometric isomers,
24 and salts of isomers; ecgonine, its derivatives, their salts,
25 isomers, and salts of isomers; or any compound, mixture, or
26 preparation which contains any quantity of any of the foregoing
27 substances; or

28 (3) Twenty-four grams or more of a mixture or substance

1 described in subdivision (2) of this subsection which contains
2 cocaine base; or

3 (4) One gram or more of a mixture or substance containing a
4 detectable amount of lysergic acid diethylamide (LSD); or

5 (5) Ninety grams or more of a mixture or substance
6 containing a detectable amount of phencyclidine (PCP); or

7 (6) Twelve grams or more of phencyclidine; or

8 (7) One hundred kilograms or more of a mixture or substance
9 containing marijuana; or

10 (8) Ninety grams or more of any material, compound,
11 mixture, or preparation containing any quantity of the following
12 substances having a stimulant effect on the central nervous
13 system: amphetamine, its salts, optical isomers and salts of its
14 optical isomers; methamphetamine, its salts, optical isomers and
15 salts of its optical isomers; phenmetrazine and its salts; or
16 methylphenidate; or

17 (9) More than thirty grams of any material, compound,
18 mixture, or preparation containing any quantity of the following
19 substances having a stimulant effect on the central nervous
20 system: amphetamine, its salts, optical isomers, and salts of
21 its optical isomers; methamphetamine, its salts, optical isomers,
22 and salts of its optical isomers; phenmetrazine and its salts; or
23 methylphenidate, and the location of the offense was within two
24 thousand feet of real property comprising a public or private
25 elementary, vocational, or secondary school, college, community
26 college, university, or any school bus, in or on the real
27 property comprising public housing or any other governmental
28 assisted housing, or within a motor vehicle, or in any structure

1 or building which contains rooms furnished for the accommodation
2 or lodging of guests, and kept, used, maintained, advertised, or
3 held out to the public as a place where sleeping accommodations
4 are sought for pay or compensation to transient guests or
5 permanent guests; or

6 (10) Ninety grams or more of any material, compound,
7 mixture or preparation which contains any quantity of
8 3,4-methylenedioxymethamphetamine; or

9 (11) More than thirty grams of any material, compound,
10 mixture, or preparation which contains any quantity of
11 3,4-methylenedioxymethamphetamine and the location of the offense
12 was within two thousand feet of real property comprising a public
13 or private elementary, vocational, or secondary school, college,
14 community college, university, or any school bus, in or on the
15 real property comprising public housing or any other governmental
16 assisted housing, within a motor vehicle, or in any structure or
17 building which contains rooms furnished for the accommodation or
18 lodging of guests, and kept, used, maintained, advertised, or
19 held out to the public as a place where sleeping accommodations
20 are sought for pay or compensation to transient guests or
21 permanent guests; or

22 (12) One gram or more of flunitrazepam for a second or
23 subsequent offense; or

24 (13) Any amount of gamma-hydroxybutyric acid for a second
25 or subsequent offense; or

26 (14) Twenty milligrams or more of fentanyl or carfentanil,
27 or any derivative thereof, or any combination thereof, or any
28 compound, mixture, or substance containing a detectable amount of

1 fentanyl or carfentanil, or their optical isomers or analogues.

2 579.068. 1. A person commits the offense of trafficking
3 drugs in the second degree if, except as authorized by this
4 chapter or chapter 195, such person knowingly possesses or has
5 under his or her control, purchases or attempts to purchase, or
6 brings into this state:

7 (1) More than thirty grams [but less than ninety grams] of
8 a mixture or substance containing a detectable amount of heroin;

9 (2) More than one hundred fifty grams [but less than four
10 hundred fifty grams] of a mixture or substance containing a
11 detectable amount of coca leaves, except coca leaves and extracts
12 of coca leaves from which cocaine, ecgonine, and derivatives of
13 ecgonine or their salts have been removed; cocaine salts and
14 their optical and geometric isomers, and salts of isomers;
15 ecgonine, its derivatives, their salts, isomers, and salts of
16 isomers; or any compound, mixture, or preparation which contains
17 any quantity of any of the foregoing substances;

18 (3) More than eight grams [but less than twenty-four grams]
19 of a mixture or substance described in subdivision (2) of this
20 subsection which contains cocaine base;

21 (4) More than five hundred milligrams [but less than one
22 gram] of a mixture or substance containing a detectable amount of
23 lysergic acid diethylamide (LSD);

24 (5) More than thirty grams [but less than ninety grams] of
25 a mixture or substance containing a detectable amount of
26 phencyclidine (PCP);

27 (6) More than four grams [but less than twelve grams] of
28 phencyclidine;

1 (7) More than thirty kilograms [but less than one hundred
2 kilograms] of a mixture or substance containing marijuana;

3 (8) More than thirty grams [but less than ninety grams] of
4 any material, compound, mixture, or preparation containing any
5 quantity of the following substances having a stimulant effect on
6 the central nervous system: amphetamine, its salts, optical
7 isomers and salts of its optical isomers; methamphetamine, its
8 salts, optical isomers and salts of its optical isomers;
9 phenmetrazine and its salts; or methylphenidate; [or]

10 (9) More than thirty grams [but less than ninety grams] of
11 any material, compound, mixture, or preparation which contains
12 any quantity of 3,4-methylenedioxymethamphetamine; or

13 (10) More than ten milligrams of fentanyl or carfentanil,
14 or any derivative thereof, or any combination thereof, or any
15 compound, mixture, or substance containing a detectable amount of
16 fentanyl or carfentanil, or their optical isomers or analogues.

17 2. The offense of trafficking drugs in the second degree is
18 a class C felony.

19 3. The offense of trafficking drugs in the second degree is
20 a class B felony if the quantity involved is:

21 (1) Ninety grams or more of a mixture or substance
22 containing a detectable amount of heroin; or

23 (2) Four hundred fifty grams or more of a mixture or
24 substance containing a detectable amount of coca leaves, except
25 coca leaves and extracts of coca leaves from which cocaine,
26 ecgonine, and derivatives of ecgonine or their salts have been
27 removed; cocaine salts and their optical and geometric isomers,
28 and salts of isomers; ecgonine, its derivatives, their salts,

1 isomers, and salts of isomers; or any compound, mixture, or
2 preparation which contains any quantity of any of the foregoing
3 substances; or

4 (3) Twenty-four grams or more of a mixture or substance
5 described in subdivision (2) of this subsection which contains
6 cocaine base; or

7 (4) One gram or more of a mixture or substance containing a
8 detectable amount of lysergic acid diethylamide (LSD); or

9 (5) Ninety grams or more of a mixture or substance
10 containing a detectable amount of phencyclidine (PCP); or

11 (6) Twelve grams or more of phencyclidine; or

12 (7) One hundred kilograms or more of a mixture or substance
13 containing marijuana; or

14 (8) More than five hundred marijuana plants; or

15 (9) Ninety grams or more but less than four hundred fifty
16 grams of any material, compound, mixture, or preparation
17 containing any quantity of the following substances having a
18 stimulant effect on the central nervous system: amphetamine, its
19 salts, optical isomers and salts of its optical isomers;
20 methamphetamine, its salts, optical isomers and salts of its
21 optical isomers; phenmetrazine and its salts; or methylphenidate;
22 or

23 (10) Ninety grams or more but less than four hundred fifty
24 grams of any material, compound, mixture, or preparation which
25 contains any quantity of 3,4-methylenedioxymethamphetamine; or

26 (11) Twenty milligrams or more of fentanyl or carfentanil,
27 or any derivative thereof, or any combination thereof, or any
28 compound, mixture, or substance containing a detectable amount of

1 fentanyl or carfentanil, or their optical isomers or analogues.

2 4. The offense of trafficking drugs in the second degree is
3 a class A felony if the quantity involved is four hundred fifty
4 grams or more of any material, compound, mixture or preparation
5 which contains:

6 (1) Any quantity of the following substances having a
7 stimulant effect on the central nervous system: amphetamine, its
8 salts, optical isomers and salts of its optical isomers;
9 methamphetamine, its salts, isomers and salts of its isomers;
10 phenmetrazine and its salts; or methylphenidate; or

11 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

12 5. The offense of drug trafficking in the second degree is
13 a class C felony for the first offense and a class B felony for
14 any second or subsequent offense for the trafficking of less than
15 one gram of flunitrazepam.

16 Section B. Because immediate action is necessary to ensure
17 that all owners, officers, managers, contractors, employees, and
18 other support staff of medical marijuana facilities be subjected
19 to state and federal fingerprint-based criminal background checks
20 to insure the integrity of the Missouri medical marijuana
21 industry, the enactment of section 195.815 of this act is deemed
22 necessary for the immediate preservation of the public health,
23 welfare, peace, and safety, and the enactment of section 195.815
24 of this act is hereby declared to be an emergency act within the
25 meaning of the constitution, and the enactment of section 195.815
26 of this act shall be in full force and effect on July 1, 2020, or
27 upon its passage and approval, whichever occurs later.