

CONTROLLED SUBSTANCES AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Allen M. Christensen

LONG TITLE

General Description:

This bill amends the Controlled Substances Act and the Controlled Substance Database Act.

Highlighted Provisions:

This bill:

- ▶ reschedules Tramadol from Schedule V to Schedule IV; and
- ▶ creates a reporting requirement for certain noncontrolled substances.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

58-37-4, as last amended by Laws of Utah 2018, Chapter 146

58-37f-203 (Superseded 07/01/19), as last amended by Laws of Utah 2018, Chapters 123 and 452

58-37f-203 (Effective 07/01/19), as last amended by Laws of Utah 2018, Third Special Session, Chapter 1

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-37-4** is amended to read:

58-37-4. Schedules of controlled substances -- Schedules I through V -- Findings

30 **required -- Specific substances included in schedules.**

31 (1) There are established five schedules of controlled substances known as Schedules I,
32 II, III, IV, and V which consist of substances listed in this section.

33 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by
34 the official name, common or usual name, chemical name, or brand name designated:

35 (a) Schedule I:

36 (i) Unless specifically excepted or unless listed in another schedule, any of the
37 following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and
38 ethers, when the existence of the isomers, esters, ethers, and salts is possible within the specific
39 chemical designation:

40 (A) Acetyl-alpha-methylfentanyl

41 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

42 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

43 (C) Acetylmethadol;

44 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);

45 (E) Allylprodine;

46 (F) Alphacetylmethadol, except levo-alphacetylmethadol also known as
47 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

48 (G) Alphameprodine;

49 (H) Alphamethadol;

50 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
51 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

52 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
53 piperidinyl]-N-phenylpropanamide);

54 (K) Benzylpiperazine;

55 (L) Benzethidine;

56 (M) Betacetylmethadol;

57 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-

- 58 piperidinyl]-N-phenylpropanamide);
- 59 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
- 60 phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;
- 61 (P) Betameprodine;
- 62 (Q) Betamethadol;
- 63 (R) Betaprodine;
- 64 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylbutyramide);
- 65 (T) Clonitazene;
- 66 (U) Cyclopropyl fentanyl
- 67 (N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- 68 (V) Dextromoramide;
- 69 (W) Diampromide;
- 70 (X) Diethylthiambutene;
- 71 (Y) Difenoxin;
- 72 (Z) Dimenoxadol;
- 73 (AA) Dimepheptanol;
- 74 (BB) Dimethylthiambutene;
- 75 (CC) Dioxaphetyl butyrate;
- 76 (DD) Dipipanone;
- 77 (EE) Ethylmethylthiambutene;
- 78 (FF) Etizolam
- 79 (1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
- 80 (GG) Etonitazene;
- 81 (HH) Etoxeridine;
- 82 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
- 83 furan-2-carboxamide);
- 84 (JJ) Furethidine;
- 85 (KK) Hydroxypethidine;

- 86 (LL) Ketobemidone;
- 87 (MM) Levomoramide;
- 88 (NN) Levophenacymorphan;
- 89 (OO) Methoxyacetyl fentanyl
- 90 (2-Methoxy-N-(1-phenylethylpiperidinyl-4-yl)-N-acetamide);
- 91 (PP) Morpheridine;
- 92 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 93 (RR) Noracymethadol;
- 94 (SS) Norlevorphanol;
- 95 (TT) Normethadone;
- 96 (UU) Norpipanone;
- 97 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
- 98 propanamide);
- 99 (WW) Para-fluoroisobutyryl fentanyl
- 100 (N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
- 101 (XX) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 102 (YY) Phenadoxone;
- 103 (ZZ) Phenampromide;
- 104 (AAA) Phenomorphan;
- 105 (BBB) Phenoperidine;
- 106 (CCC) Piritramide;
- 107 (DDD) Proheptazine;
- 108 (EEE) Properidine;
- 109 (FFF) Propiram;
- 110 (GGG) Racemoramide;
- 111 (HHH) Tetrahydrofuran fentanyl
- 112 (N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
- 113 (III) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide);

- 114 (JJJ) Tilidine;
- 115 (KKK) Trimeperidine;
- 116 (LLL) 3-methylfentanyl, including the optical and geometric isomers
- 117 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide);
- 118 (MMM) 3-methylthiofentanyl
- 119 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- 120 (NNN) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
- 121 known as U-47700; and
- 122 (OOO) 4-cyano CUMYL-BUTINACA.
- 123 (ii) Unless specifically excepted or unless listed in another schedule, any of the
- 124 following opium derivatives, their salts, isomers, and salts of isomers when the existence of the
- 125 salts, isomers, and salts of isomers is possible within the specific chemical designation:
- 126 (A) Acetorphine;
- 127 (B) Acetyldihydrocodeine;
- 128 (C) Benzylmorphine;
- 129 (D) Codeine methylbromide;
- 130 (E) Codeine-N-Oxide;
- 131 (F) Cyprenorphine;
- 132 (G) Desomorphine;
- 133 (H) Dihydromorphine;
- 134 (I) Drotebanol;
- 135 (J) Etorphine (except hydrochloride salt);
- 136 (K) Heroin;
- 137 (L) Hydromorphenol;
- 138 (M) Methyl-desorphine;
- 139 (N) Methylhydromorphine;
- 140 (O) Morphine methylbromide;
- 141 (P) Morphine methylsulfonate;

142 (Q) Morphine-N-Oxide;

143 (R) Myrophine;

144 (S) Nicocodeine;

145 (T) Nicomorphine;

146 (U) Normorphine;

147 (V) Pholcodine; and

148 (W) Thebacon.

149 (iii) Unless specifically excepted or unless listed in another schedule, any material,
150 compound, mixture, or preparation which contains any quantity of the following hallucinogenic
151 substances, or which contains any of their salts, isomers, and salts of isomers when the
152 existence of the salts, isomers, and salts of isomers is possible within the specific chemical
153 designation; as used in this Subsection (2)(a)(iii) only, "isomer" includes the optical, position,
154 and geometric isomers:

155 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase;

156 α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;

157 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:

158 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;

159 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:

160 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus;

161 (D) 2,5-dimethoxyamphetamine, some trade or other names:

162 2,5-dimethoxy- α -methylphenethylamine; 2,5-DMA;

163 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;

164 (F) 4-methoxyamphetamine, some trade or other names:

165 4-methoxy- α -methylphenethylamine; paramethoxyamphetamine, PMA;

166 (G) 5-methoxy-3,4-methylenedioxyamphetamine;

167 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:

168 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";

169 (I) 3,4-methylenedioxy amphetamine;

- 170 (J) 3,4-methylenedioxyamphetamine (MDMA);
- 171 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
172 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;
- 173 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
174 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA;
- 175 (M) 3,4,5-trimethoxy amphetamine;
- 176 (N) Bufotenine, some trade and other names:
177 3-(β -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,
178 N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 179 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 180 (P) Dimethyltryptamine, some trade or other names: DMT;
- 181 (Q) Ibogaine, some trade and other names:
182 7-Ethyl-6,6 β ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino
183 [5,4-b] indole; Tabernanthe iboga;
- 184 (R) Lysergic acid diethylamide;
- 185 (S) Marijuana;
- 186 (T) Mescaline;
- 187 (U) Parahexyl, some trade or other names:
188 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl;
- 189 (V) Peyote, meaning all parts of the plant presently classified botanically as
190 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from
191 any part of such plant, and every compound, manufacture, salts, derivative, mixture, or
192 preparation of such plant, its seeds or extracts (Interprets 21 USC 812(c), Schedule I(c) (12));
- 193 (W) N-ethyl-3-piperidyl benzilate;
- 194 (X) N-methyl-3-piperidyl benzilate;
- 195 (Y) Psilocybin;
- 196 (Z) Psilocyn;
- 197 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus *Cannabis*

198 (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis
199 plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives,
200 and their isomers with similar chemical structure and pharmacological activity to those
201 substances contained in the plant, such as the following: $\Delta 1$ cis or trans tetrahydrocannabinol,
202 and their optical isomers $\Delta 6$ cis or trans tetrahydrocannabinol, and their optical isomers $\Delta 3,4$
203 cis or trans tetrahydrocannabinol, and its optical isomers, and since nomenclature of these
204 substances is not internationally standardized, compounds of these structures, regardless of
205 numerical designation of atomic positions covered;

206 (BB) Ethylamine analog of phencyclidine, some trade or other names:

207 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,

208 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

209 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:

210 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

211 (DD) Thiophene analog of phencyclidine, some trade or other names:

212 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP; and

213 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.

214 (iv) Unless specifically excepted or unless listed in another schedule, any material
215 compound, mixture, or preparation which contains any quantity of the following substances
216 having a depressant effect on the central nervous system, including its salts, isomers, and salts
217 of isomers when the existence of the salts, isomers, and salts of isomers is possible within the
218 specific chemical designation:

219 (A) Mecloqualone; and

220 (B) Methaqualone.

221 (v) Any material, compound, mixture, or preparation containing any quantity of the
222 following substances having a stimulant effect on the central nervous system, including their
223 salts, isomers, and salts of isomers:

224 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or
225 4,5-dihydro-5-phenyl-2-oxazolamine;

- 226 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
 227 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
- 228 (C) Fenethylamine;
- 229 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
 230 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
 231 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone;
 232 methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of
 233 optical isomers;
- 234 (E) (±)cis-4-methylaminorex ((±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 235 (F) N-ethylamphetamine; and
- 236 (G) N,N-dimethylamphetamine, also known as
 237 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 238 (vi) Any material, compound, mixture, or preparation which contains any quantity of
 239 the following substances, including their optical isomers, salts, and salts of isomers, subject to
 240 temporary emergency scheduling:
- 241 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and
 242 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl).
- 243 (vii) Unless specifically excepted or unless listed in another schedule, any material,
 244 compound, mixture, or preparation which contains any quantity of gamma hydroxy butyrate
 245 (gamma hydrobutyric acid), including its salts, isomers, and salts of isomers.
- 246 (b) Schedule II:
- 247 (i) Unless specifically excepted or unless listed in another schedule, any of the
 248 following substances whether produced directly or indirectly by extraction from substances of
 249 vegetable origin, or independently by means of chemical synthesis, or by a combination of
 250 extraction and chemical synthesis:
- 251 (A) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
 252 opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone,
 253 and their respective salts, but including:

- 254 (I) Raw opium;
- 255 (II) Opium extracts;
- 256 (III) Opium fluid;
- 257 (IV) Powdered opium;
- 258 (V) Granulated opium;
- 259 (VI) Tincture of opium;
- 260 (VII) Codeine;
- 261 (VIII) Ethylmorphine;
- 262 (IX) Etorphine hydrochloride;
- 263 (X) Hydrocodone;
- 264 (XI) Hydromorphone;
- 265 (XII) Metopon;
- 266 (XIII) Morphine;
- 267 (XIV) Oxycodone;
- 268 (XV) Oxymorphone; and
- 269 (XVI) Thebaine;
- 270 (B) Any salt, compound, derivative, or preparation which is chemically equivalent or
- 271 identical with any of the substances referred to in Subsection (2)(b)(i)(A), except that these
- 272 substances may not include the isoquinoline alkaloids of opium;
- 273 (C) Opium poppy and poppy straw;
- 274 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
- 275 any salt, compound, derivative, or preparation which is chemically equivalent or identical with
- 276 any of these substances, and includes cocaine and ecgonine, their salts, isomers, derivatives,
- 277 and salts of isomers and derivatives, whether derived from the coca plant or synthetically
- 278 produced, except the substances may not include decocainized coca leaves or extraction of coca
- 279 leaves, which extractions do not contain cocaine or ecgonine; and
- 280 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in either
- 281 liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy.

282 (ii) Unless specifically excepted or unless listed in another schedule, any of the
283 following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and
284 ethers, when the existence of the isomers, esters, ethers, and salts is possible within the specific
285 chemical designation, except dextrophan and levopropoxyphene:

- 286 (A) Alfentanil;
- 287 (B) Alphaprodine;
- 288 (C) Anileridine;
- 289 (D) Bezitramide;
- 290 (E) Bulk dextropropoxyphene (nondosage forms);
- 291 (F) Carfentanil;
- 292 (G) Dihydrocodeine;
- 293 (H) Diphenoxylate;
- 294 (I) Fentanyl;
- 295 (J) Isomethadone;
- 296 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
297 levomethadyl acetate, or LAAM;
- 298 (L) Levomethorphan;
- 299 (M) Levorphanol;
- 300 (N) Metazocine;
- 301 (O) Methadone;
- 302 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- 303 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic
304 acid;
- 305 (R) Pethidine (meperidine);
- 306 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 307 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 308 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 309 (V) Phenazocine;

310 (W) Piminodine;

311 (X) Racemethorphan;

312 (Y) Racemorphan;

313 (Z) Remifentanyl; and

314 (AA) Sufentanyl.

315 (iii) Unless specifically excepted or unless listed in another schedule, any material,
316 compound, mixture, or preparation which contains any quantity of the following substances
317 having a stimulant effect on the central nervous system:

318 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

319 (B) Methamphetamine, its salts, isomers, and salts of its isomers;

320 (C) Phenmetrazine and its salts; and

321 (D) Methylphenidate.

322 (iv) Unless specifically excepted or unless listed in another schedule, any material,
323 compound, mixture, or preparation which contains any quantity of the following substances
324 having a depressant effect on the central nervous system, including its salts, isomers, and salts
325 of isomers when the existence of the salts, isomers, and salts of isomers is possible within the
326 specific chemical designation:

327 (A) Amobarbital;

328 (B) Glutethimide;

329 (C) Pentobarbital;

330 (D) Phencyclidine;

331 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
332 1-piperidinocyclohexanecarbonitrile (PCC); and

333 (F) Secobarbital.

334 (v) (A) Unless specifically excepted or unless listed in another schedule, any material,
335 compound, mixture, or preparation which contains any quantity of Phenylacetone.

336 (B) Some of these substances may be known by trade or other names:
337 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.

338 (vi) Nabilone, another name for nabilone:
339 (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,
340 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.

341 (c) Schedule III:

342 (i) Unless specifically excepted or unless listed in another schedule, any material,
343 compound, mixture, or preparation which contains any quantity of the following substances
344 having a stimulant effect on the central nervous system, including its salts, isomers whether
345 optical, position, or geometric, and salts of the isomers when the existence of the salts, isomers,
346 and salts of isomers is possible within the specific chemical designation:

347 (A) Those compounds, mixtures, or preparations in dosage unit form containing any
348 stimulant substances listed in Schedule II, which compounds, mixtures, or preparations were
349 listed on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the
350 Code of Federal Regulations, and any other drug of the quantitative composition shown in that
351 list for those drugs or which is the same except that it contains a lesser quantity of controlled
352 substances;

353 (B) Benzphetamine;

354 (C) Chlorphentermine;

355 (D) Clortermine; and

356 (E) Phendimetrazine.

357 (ii) Unless specifically excepted or unless listed in another schedule, any material,
358 compound, mixture, or preparation which contains any quantity of the following substances
359 having a depressant effect on the central nervous system:

360 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
361 pentobarbital, or any salt of any of them, and one or more other active medicinal ingredients
362 which are not listed in any schedule;

363 (B) Any suppository dosage form containing amobarbital, secobarbital, or
364 pentobarbital, or any salt of any of these drugs which is approved by the Food and Drug
365 Administration for marketing only as a suppository;

366 (C) Any substance which contains any quantity of a derivative of barbituric acid or any
367 salt of any of them;

368 (D) Chlorhexadol;

369 (E) Buprenorphine;

370 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
371 isomers, and salts of isomers, for which an application is approved under the federal Food,
372 Drug, and Cosmetic Act, Section 505;

373 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for ketamine:
374 \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;

375 (H) Lysergic acid;

376 (I) Lysergic acid amide;

377 (J) Methyprylon;

378 (K) Sulfondiethylmethane;

379 (L) Sulfonethylmethane;

380 (M) Sulfonmethane; and

381 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for a
382 tiletamine-zolazepam combination product: Telazol, some trade or other names for tiletamine:
383 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade or other names for zolazepam:
384 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one,
385 flupyrazapon.

386 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
387 U.S. Food and Drug Administration approved drug product, some other names for dronabinol:
388 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or
389 (-)-delta-9-(trans)-tetrahydrocannabinol.

390 (iv) Nalorphine.

391 (v) Unless specifically excepted or unless listed in another schedule, any material,
392 compound, mixture, or preparation containing limited quantities of any of the following
393 narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid:

394 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
395 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of
396 opium;

397 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
398 milligrams per dosage unit, with one or more active non-narcotic ingredients in recognized
399 therapeutic amounts;

400 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more
401 than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline
402 alkaloid of opium;

403 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more
404 than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in
405 recognized therapeutic amounts;

406 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90
407 milligrams per dosage unit, with one or more active non-narcotic ingredients in recognized
408 therapeutic amounts;

409 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
410 than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in
411 recognized therapeutic amounts;

412 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not
413 more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in
414 recognized therapeutic amounts; and

415 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with
416 one or more active, non-narcotic ingredients in recognized therapeutic amounts.

417 (vi) Unless specifically excepted or unless listed in another schedule, anabolic steroids
418 including any of the following or any isomer, ester, salt, or derivative of the following that
419 promotes muscle growth:

420 (A) Boldenone;

421 (B) Chlorotestosterone (4-chlortestosterone);

- 422 (C) Clostebol;
- 423 (D) Dehydrochlormethyltestosterone;
- 424 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 425 (F) Drostanolone;
- 426 (G) Ethylestrenol;
- 427 (H) Fluoxymesterone;
- 428 (I) Formebolone (formebolone);
- 429 (J) Mesterolone;
- 430 (K) Methandienone;
- 431 (L) Methandranone;
- 432 (M) Methandriol;
- 433 (N) Methandrostenolone;
- 434 (O) Methenolone;
- 435 (P) Methyltestosterone;
- 436 (Q) Mibolerone;
- 437 (R) Nandrolone;
- 438 (S) Norethandrolone;
- 439 (T) Oxandrolone;
- 440 (U) Oxymesterone;
- 441 (V) Oxymetholone;
- 442 (W) Stanolone;
- 443 (X) Stanozolol;
- 444 (Y) Testolactone;
- 445 (Z) Testosterone; and
- 446 (AA) Trenbolone.
- 447 (vii) Anabolic steroids expressly intended for administration through implants to cattle
- 448 or other nonhuman species, and approved by the Secretary of Health and Human Services for
- 449 use, may not be classified as a controlled substance.

450 (d) Schedule IV:

451 (i) Unless specifically excepted or unless listed in another schedule, any material,
452 compound, mixture, or preparation containing not more than 1 milligram of difenoxin and not
453 less than 25 micrograms of atropine sulfate per dosage unit, or any salts of any of them.

454 (ii) Unless specifically excepted or unless listed in another schedule, any material,
455 compound, mixture, or preparation which contains any quantity of the following substances,
456 including its salts, isomers, and salts of isomers when the existence of the salts, isomers, and
457 salts of isomers is possible within the specific chemical designation:

458 (A) Alprazolam;

459 (B) Barbital;

460 (C) Bromazepam;

461 (D) Butorphanol;

462 (E) Camazepam;

463 (F) Carisoprodol;

464 (G) Chloral betaine;

465 (H) Chloral hydrate;

466 (I) Chlordiazepoxide;

467 (J) Clobazam;

468 (K) Clonazepam;

469 (L) Clorazepate;

470 (M) Clotiazepam;

471 (N) Cloxazolam;

472 (O) Delorazepam;

473 (P) Diazepam;

474 (Q) Dichloralphenazone;

475 (R) Estazolam;

476 (S) Ethchlorvynol;

477 (T) Ethinamate;

- 478 (U) Ethyl loflazepate;
- 479 (V) Fludiazepam;
- 480 (W) Flunitrazepam;
- 481 (X) Flurazepam;
- 482 (Y) Halazepam;
- 483 (Z) Haloxazolam;
- 484 (AA) Ketazolam;
- 485 (BB) Loprazolam;
- 486 (CC) Lorazepam;
- 487 (DD) Lormetazepam;
- 488 (EE) Mebutamate;
- 489 (FF) Medazepam;
- 490 (GG) Meprobamate;
- 491 (HH) Methohexital;
- 492 (II) Methylphenobarbital (mephobarbital);
- 493 (JJ) Midazolam;
- 494 (KK) Nimetazepam;
- 495 (LL) Nitrazepam;
- 496 (MM) Nordiazepam;
- 497 (NN) Oxazepam;
- 498 (OO) Oxazolam;
- 499 (PP) Paraldehyde;
- 500 (QQ) Pentazocine;
- 501 (RR) Petrichloral;
- 502 (SS) Phenobarbital;
- 503 (TT) Pinazepam;
- 504 (UU) Prazepam;
- 505 (VV) Quazepam;

506 (WW) Temazepam;

507 (XX) Tetrazepam;

508 (YY) Tramadol;

509 [~~YY~~] (ZZ) Triazolam;

510 [~~ZZ~~] (AAA) Zaleplon; and

511 [~~AAA~~] (BBB) Zolpidem.

512 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
513 any quantity of the following substances, including its salts, isomers whether optical, position,
514 or geometric, and salts of the isomers when the existence of the salts, isomers, and salts of
515 isomers is possible.

516 (iv) Unless specifically excepted or unless listed in another schedule, any material,
517 compound, mixture, or preparation which contains any quantity of the following substances
518 having a stimulant effect on the central nervous system, including its salts, isomers whether
519 optical, position, or geometric isomers, and salts of the isomers when the existence of the salts,
520 isomers, and salts of isomers is possible within the specific chemical designation:

521 (A) Cathine ((+)-norpseudoephedrine);

522 (B) Diethylpropion;

523 (C) Fencamfamine;

524 (D) Fenproporex;

525 (E) Mazindol;

526 (F) Mefenorex;

527 (G) Modafinil;

528 (H) Pemoline, including organometallic complexes and chelates thereof;

529 (I) Phentermine;

530 (J) Pipradrol;

531 (K) Sibutramine; and

532 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

533 (v) Unless specifically excepted or unless listed in another schedule, any material,

534 compound, mixture, or preparation which contains any quantity of dextropropoxyphene
535 (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.

536 (e) Schedule V:

537 (i) Any compound, mixture, or preparation containing any of the following limited
538 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid,
539 which includes one or more non-narcotic active medicinal ingredients in sufficient proportion
540 to confer upon the compound, mixture, or preparation valuable medicinal qualities other than
541 those possessed by the narcotic drug alone:

542 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

543 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
544 grams;

545 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
546 grams;

547 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of
548 atropine sulfate per dosage unit;

549 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

550 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
551 atropine sulfate per dosage unit; and

552 (G) unless specifically exempted or excluded or unless listed in another schedule, any
553 material, compound, mixture, or preparation which contains Pyrovalerone having a stimulant
554 effect on the central nervous system, including its salts, isomers, and salts of isomers[~~;~~ and].

555 [~~(H) all forms of Tramadol.~~]

556 (ii) Cannabidiol in a drug product that is approved by the United States Food and Drug
557 Administration.

558 Section 2. Section **58-37f-203 (Superseded 07/01/19)** is amended to read:

559 **58-37f-203 (Superseded 07/01/19). Submission, collection, and maintenance of**
560 **data.**

561 (1) (a) The division shall implement on a statewide basis, including non-resident

562 pharmacies as defined in Section 58-17b-102, the following two options for a pharmacist to
563 submit information:

564 (i) real-time submission of the information required to be submitted under this part to
565 the controlled substance database; and

566 (ii) 24-hour daily or next business day, whichever is later, batch submission of the
567 information required to be submitted under this part to the controlled substance database.

568 (b) (i) On and after January 1, 2016, a pharmacist shall comply with either:

569 (A) the submission time requirements established by the division under Subsection
570 (1)(a)(i); or

571 (B) the submission time requirements established by the division under Subsection
572 (1)(a)(ii).

573 (ii) Prior to January 1, 2016, a pharmacist may submit information using either option
574 under this Subsection (1).

575 (c) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code.

576 (2) (a) The pharmacist-in-charge and the pharmacist of the drug outlet where a
577 controlled substance is dispensed shall submit the data described in this section to the division
578 in accordance with:

579 (i) the requirements of this section;

580 (ii) the procedures established by the division;

581 (iii) additional types of information or data fields established by the division; and

582 (iv) the format established by the division.

583 (b) A dispensing medical practitioner licensed under Chapter 17b, Part 8, Dispensing
584 Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, shall comply with
585 the provisions of this section and the dispensing medical practitioner shall assume the duties of
586 the pharmacist under this chapter.

587 (3) (a) The pharmacist-in-charge and the pharmacist described in Subsection (2)(b)
588 shall~~[, for each controlled substance dispensed by a pharmacist under the pharmacist's~~
589 ~~supervision other than those dispensed for an inpatient at a health care facility,]~~ submit to the

590 division any type of information or data field established by the division by rule in accordance
591 with Subsection (6)[:] regarding:

592 (i) each controlled substance that is dispensed by the pharmacist or under the
593 pharmacist's supervision; and

594 (ii) each noncontrolled substance that is:

595 (A) designated by the division under Subsection (8)(a); and

596 (B) dispensed by the pharmacist or under the pharmacist's supervision.

597 (b) Subsection (3)(a) does not apply to a drug that is dispensed for an inpatient at a
598 health care facility.

599 (4) An individual whose records are in the database may obtain those records upon
600 submission of a written request to the division.

601 (5) (a) A patient whose record is in the database may contact the division in writing to
602 request correction of any of the patient's database information that is incorrect. The patient
603 shall provide a postal address for the division's response.

604 (b) The division shall grant or deny the request within 30 days from receipt of the
605 request and shall advise the requesting patient of its decision by mail postmarked within 35
606 days of receipt of the request.

607 (c) If the division denies a request under this Subsection (5) or does not respond within
608 35 days, the patient may submit an appeal to the Department of Commerce, within 60 days
609 after the postmark date of the patient's letter making a request for a correction under this
610 Subsection (5).

611 (6) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
612 Administrative Rulemaking Act, to establish submission requirements under this part,
613 including:

614 (a) electronic format;

615 (b) submission procedures; and

616 (c) required information and data fields.

617 (7) The division shall ensure that the database system records and maintains for

618 reference:

619 (a) the identification of each individual who requests or receives information from the
620 database;

621 (b) the information provided to each individual; and

622 (c) the date and time that the information is requested or provided.

623 (8) (a) The division, in collaboration with the Utah Controlled Substance Advisory
624 Committee created in Section 58-38a-201, shall designate a list of noncontrolled substances
625 described in Subsection (8)(b) by rule made in accordance with Title 63G, Chapter 3, Utah
626 Administrative Rulemaking Act.

627 (b) To determine whether a prescription drug should be designated in the schedules of
628 controlled substances under this chapter, the division may collect information about a
629 prescription drug as defined in Section 58-17b-102 that is not designated in the schedules of
630 controlled substances under this chapter.

631 Section 3. Section 58-37f-203 (Effective 07/01/19) is amended to read:

632 **58-37f-203 (Effective 07/01/19). Submission, collection, and maintenance of data.**

633 (1) (a) The division shall implement on a statewide basis, including non-resident
634 pharmacies as defined in Section 58-17b-102, the following two options for a pharmacist to
635 submit information:

636 (i) real-time submission of the information required to be submitted under this part to
637 the controlled substance database; and

638 (ii) 24-hour daily or next business day, whichever is later, batch submission of the
639 information required to be submitted under this part to the controlled substance database.

640 (b) (i) On and after January 1, 2016, a pharmacist shall comply with either:

641 (A) the submission time requirements established by the division under Subsection
642 (1)(a)(i); or

643 (B) the submission time requirements established by the division under Subsection
644 (1)(a)(ii).

645 (ii) Prior to January 1, 2016, a pharmacist may submit information using either option

646 under this Subsection (1).

647 (c) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code.

648 (2) (a) The pharmacist-in-charge and the pharmacist of the drug outlet where a
649 controlled substance is dispensed shall submit the data described in this section to the division
650 in accordance with:

651 (i) the requirements of this section;

652 (ii) the procedures established by the division;

653 (iii) additional types of information or data fields established by the division; and

654 (iv) the format established by the division.

655 (b) A dispensing medical practitioner licensed under Chapter 17b, Part 8, Dispensing
656 Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, shall comply with
657 the provisions of this section and the dispensing medical practitioner shall assume the duties of
658 the pharmacist under this chapter.

659 (3) (a) The pharmacist-in-charge and the pharmacist described in Subsection (2)(b)
660 shall, for each controlled substance dispensed by a pharmacist under the pharmacist's
661 supervision other than those dispensed for an inpatient at a health care facility, submit to the
662 division any type of information or data field established by the division by rule in accordance
663 with Subsection (6)[:] regarding:

664 (i) each controlled substance that is dispensed by the pharmacist or under the
665 pharmacist's supervision; and

666 (ii) each noncontrolled substance that is:

667 (A) designated by the division under Subsection (8)(a); and

668 (B) dispensed by the pharmacist or under the pharmacist's supervision.

669 (b) Subsection (3)(a) does not apply to a drug that is dispensed for an inpatient at a
670 health care facility.

671 (4) An individual whose records are in the database may obtain those records upon
672 submission of a written request to the division.

673 (5) (a) A patient whose record is in the database may contact the division in writing to

674 request correction of any of the patient's database information that is incorrect. The patient
675 shall provide a postal address for the division's response.

676 (b) The division shall grant or deny the request within 30 days from receipt of the
677 request and shall advise the requesting patient of its decision by mail postmarked within 35
678 days of receipt of the request.

679 (c) If the division denies a request under this Subsection (5) or does not respond within
680 35 days, the patient may submit an appeal to the Department of Commerce, within 60 days
681 after the postmark date of the patient's letter making a request for a correction under this
682 Subsection (5).

683 (6) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
684 Administrative Rulemaking Act, to establish submission requirements under this part,
685 including:

- 686 (a) electronic format;
- 687 (b) submission procedures; and
- 688 (c) required information and data fields.

689 (7) The division shall ensure that the database system records and maintains for
690 reference:

- 691 (a) the identification of each individual who requests or receives information from the
692 database;
- 693 (b) the information provided to each individual; and
- 694 (c) the date and time that the information is requested or provided.

695 (8) (a) The division, in collaboration with the Utah Controlled Substance Advisory
696 Committee created in Section 58-38a-201, shall designate a list of noncontrolled substances
697 described in Subsection (8)(b) by rule made in accordance with Title 63G, Chapter 3, Utah
698 Administrative Rulemaking Act.

699 (b) To determine whether a prescription drug should be designated in the schedules of
700 controlled substances under this chapter, the division may collect information about a
701 prescription drug as defined in Section 58-17b-102 that is not designated in the schedules of

702 controlled substances under this chapter.

703 Section 4. **Effective date.**

704 (1) Except as provided in Subsection (2), this bill takes effect on May 14, 2019.

705 (2) The actions affecting Section [58-37f-203](#) (Effective 07/01/19) take effect on July 1,

706 2019.