

An Act making changes to the controlled substance schedules and providing penalties.

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

Section 1. Section 124.204, subsection 4, Code 2015, is amended by adding the following new paragraphs:

NEW PARAGRAPH: al. 4-methyl-N-ethylcathinone. Other names: 4-MEC, 2-(ethylamino)-1-(4-methylphenyl)propan-1-one.

NEW PARAGRAPH: am. 4-methyl-alpha-pyrrolidinopropiophenone. Other names: 4-MePPP, MePPP, 4-methyl-[alpha]-pyrrolidinopropiophenone, 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one.

NEW PARAGRAPH: an. Alpha-pyrrolidinopentiophenone. Other names: [alpha]-PVP, [alpha]-pyrrolidinovalerophenone, 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one.

NEW PARAGRAPH: ao. Butylone. Other names: bk-MBDB, 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one.

NEW PARAGRAPH: ap. Pentedrone. Other names: [alpha]-methylaminovalerophenone, 2-(methylamino)-1-phenylpentan-1-one.

NEW PARAGRAPH: aq. Pentylone. Other names: bk-MBDP, 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one.

NEW PARAGRAPH: ar. 4-fluoro-N-methylcathinone. Other names: 4-FMC, flephedrone, 1-(4-fluorophenyl)-2-(methylamino)propan-1-one.

NEW PARAGRAPH: as. 3-fluoro-N-methylcathinone. Other names: 3-FMC, 1-(3-fluorophenyl)-2-(methylamino)propan-1-one.

NEW PARAGRAPH: at. Naphyrone. Other names: naphthylpyrovalerone, 1-

(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one.

NEW PARAGRAPH: au. Alpha-pyrrolidinobutiophenone. Other names: [alpha]-PBP, 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.

Sec. 2. Section 124.204, subsection 9, Code 2015, is amended by adding the following new paragraphs:

NEW PARAGRAPH: g. Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate. Other names: PB-22, QUPIC.

NEW PARAGRAPH: h. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate. Other names: 5-fluoro-PB-22, 5F-PB-22.

NEW PARAGRAPH: i. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide. Other name: AB-FUBINACA.

NEW PARAGRAPH: j. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other name: ADB-PINACA.

NEW PARAGRAPH: k. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide. Other name: AB-CHMINACA.

NEW PARAGRAPH: l. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other name: AB-PINACA.

NEW PARAGRAPH: m. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone. Other name: THJ-2201.

NEW PARAGRAPH: n. N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide. Other name: acetyl fentanyl.

NEW PARAGRAPH: o. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide. Other names: MAB-CHMINACA; ADB-

CHMINACA.

Sec. 3. Section 124.206, subsection 2, paragraph (a), is amended as follows:

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

Sec. 4. Section 124.206, subsection 2, paragraph (d), is amended as follows:

d. Coca leaves and any salt, compound, derivative, or preparation of coca leaves including cocaine and ecgonine and their salts, isomers, derivatives and salts of isomers and derivatives, ~~Decocainized coca leaves or extractions of coca leaves, which extractions do not contain cocaine or ecgonine, are excluded from this paragraph. The following substances and their salts, optical and geometric isomers, derivatives, and salts of derivatives and optical and geometric isomers, and any salt, compound, derivative, or preparation thereof that is chemically equivalent or identical to any of such substances, are included in this paragraph~~ except that the substances shall not include:

(1) Cocaine Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(2) Ecgonine [123\]ioflupane.

Sec. 5. Section 124.208, subsection 5, paragraph (a), subparagraphs (3) and (4), Code 2015, are amended by striking the subparagraphs.

Sec. 6. Section 124.210, subsection 2, Code 2015, is amended by adding the

following new paragraph:

NEW PARAGRAPH: c. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).

Sec. 7. Section 124.210, subsection 3, Code 2015, is amended by adding the following new paragraphs:

NEW PARAGRAPH: bb. Alfaxalone.

NEW PARAGRAPH: bc. Suvorexant.

EXPLANATION

The bill modifies the controlled substance schedules and provides penalties.

The bill adds 10 synthetic cathinones, eight synthetic cannabinoids, and acetyl fentanyl to the list of substances classified as schedule I controlled substances. The board of pharmacy has determined that these substances should be classified as schedule I controlled substances because each substance has a high potential for abuse and no accepted medical use in the United States.

The bill removes hydrocodone-combination products from the list of substances classified as schedule III controlled substances. Hydrocodone, as a single-entity substance, is currently classified as a schedule II controlled substance. The change under the bill effectively makes all hydrocodone-containing products subject to the controls, security, reporting, and penalty provisions for schedule II controlled substances.

The bill removes naloxegol, a new molecular entity and derivative of naloxone, from control as a schedule III controlled substance. The federal Food and Drug

Administration (FDA) recently approved naloxegol for the treatment of opioid-induced constipation in adults with chronic non-cancer pain. The bill also removes [123]jioflupane from control as a schedule II controlled substance. This substance is a new molecular entity and is the active pharmaceutical ingredient in the drug DaTscan, recently approved by the federal Food and Drug Administration for use in diagnosis of patients suspected of Parkinson's disease. Evidence supports the removal of [123]jioflupane from control as a controlled substance.

The bill also classifies the substance commonly known as tramadol, a centrally acting opioid analgesic, as a schedule IV controlled substance. This substance was previously marketed and distributed as a noncontrolled prescription drug. Effective August 18, 2014, the federal Drug Enforcement Administration classified tramadol as a schedule IV controlled substance under federal law.

The bill also classifies alfaxalone, a neurosteroid with central nervous system depressant properties, as a schedule IV controlled substance. The federal Food and Drug Administration (FDA) recently approved this intravenous injectable anesthetic for use by or on the order of a licensed veterinarian. Alfaxalone is not available by prescription and is approved for use in veterinary practice.

The bill classifies suvorexant, a new insomnia treatment approved by the federal Food and Drug Administration, as a schedule IV controlled substance. This is a novel, first in class, chemical substance and information on actual abuse data is not available. However, data from clinical studies support the classification in schedule IV.

It is a class "C" felony pursuant to Code section 124.401(1)(c)(8) for any unauthorized person to violate a provision of Code section 124.401, involving a

classified substance placed in schedule I, II, or III pursuant to the bill. A class “C” felony for this particular offense is punishable by confinement for no more than 10 years and a fine of at least \$1,000 but not more than \$50,000.

It is an aggravated misdemeanor pursuant to Code section 124.401(1)(d) for any unauthorized person to violate a provision of Code section 124.401 involving a classified substance placed in schedule IV pursuant to the bill. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$625 but not more than \$6,250.

If a person possesses a controlled substance in violation of Code section 124.401(5) as a first offense, the person commits a serious misdemeanor. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.