



IDPH News Release

FOR IMMEDIATE RELEASE
2/17/10

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Iowa Board of Pharmacy Issues Recommendation

Board endorses marijuana as Schedule II drug for medical uses

The Iowa Board of Pharmacy today issued a recommendation that the Iowa Legislature reclassify marijuana from Schedule I of the Iowa Controlled Substances Act into Schedule II of the Act. A Schedule II drug includes narcotic drugs with a high potential for abuse but with currently accepted medical use in treatment.

In addition, the Board of Pharmacy is recommending the Legislature convene a task force or study committee for the purpose of making recommendations back to the Legislature regarding the administration of a medical marijuana program. The Board recommends the task force or committee be comprised of various disciplines including but not limited to the following: a representative of a seriously ill patient; a representative of law enforcement; a representative of the Iowa Attorney General; a representative of an HIV organization or a physician caring for an AIDS patient; a substance abuse treatment representative; a person living with a serious illness; a hospice or palliative care representative; a representative of the Iowa Board of Nursing; a representative of the Iowa Board of Medicine; and a representative of the Iowa Board of Pharmacy.

Rescheduling of marijuana is the first step of a process that could ultimately result in legalization for medical purposes. The Board of Pharmacy's recommendation to the Iowa Legislature does not impact current Iowa law.

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State of Iowa
Board of Pharmacy

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Emmetsburg

MINUTES

February 17, 2010

The Iowa Board of Pharmacy met on February 17, 2010, in the conference room at 400 SW Eighth Street, Des Moines, Iowa at 9:00 a.m. Chairperson Benjamin called the meeting to order at 9:02 a.m.

MEMBERS PRESENT

Vernon H. Benjamin, Chairperson
Susan M. Frey, Vice-Chair
Mark M. Anliker
Annabelle Diehl
Edward L. Maier
Peggy M. Whitworth

MEMBERS ABSENT

DeeAnn Wedemeyer Oleson

STAFF PRESENT

Lloyd Jessen, Executive Director
Scott Galenbeck, Esq., Assistant Attorney
General
Therese Witkowski, Executive Officer
Debbie Jorgenson, Administrative Assistant
Becky Hall, Secretary

Compliance Officers Present:

Bernie Berntsen
Jim Wolfe

I. Medical Marijuana.

After the Board held four public meetings and reviewed a substantial amount of medical marijuana material, the Board met to deliberate the possible reclassification of marijuana from Schedule I of the Iowa Controlled Substances Act (Act) into Schedule II of the Act.

Motion (Maier/Anliker) the Iowa Board of Pharmacy recommends that the legislature reclassify marijuana from Schedule I of the Iowa Controlled Substance Act (Act) into Schedule II of the Act with the further recommendation that the legislature convene a task force or study committee comprised of various disciplines including but not limited to the following: a representative of a seriously ill patient; a representative of law enforcement; a representative of the Iowa Attorney General; a representative of an HIV organization or a physician caring for an AIDS patient; a

substance abuse treatment representative; a person living with a serious illness; a hospice or palliative care representative; a representative of the Iowa Board of Nursing; a representative of the Iowa Board of Medicine; and a representative of the Iowa Board of Pharmacy, for the purpose of making recommendations back to the legislature regarding the administration of a medical marijuana program. Roll call vote. Yes: Anliker, Benjamin, Diehl, Frey, Maier, Whitworth; No: None; Abstain: None; Absent: Oleson. Passed: 6-0-0-1.

Motion (Maier/Frey) to adjourn the meeting. Passed: 6-0-0-1. Absent: Oleson. Meeting adjourned at 12:47 p.m. on February 17, 2010.

Becky Hall

Becky Hall
Recording Secretary

Lloyd K. Jessen

Lloyd K. Jessen
Executive Director

Vernon H. Benjamin

Vernon H. Benjamin
Board Chair

APPROVED THIS 9th DAY OF March, 2010.

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY BILL)

A BILL FOR

1 An Act revising the controlled substances schedules, and
2 providing penalties.

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

DRAFT

1 Section 1. Section 124.204, subsection 4, paragraph m, Code
2 2011, is amended by striking the paragraph.

3 Sec. 2. Section 124.204, subsection 4, paragraph u,
4 unnumbered paragraph 1, Code 2011, is amended to read as
5 follows:

6 ~~Tetrahydrocannabinols, except as otherwise provided~~
7 ~~by rules of the board for medicinal purposes,~~ meaning
8 tetrahydrocannabinols naturally contained in a plant of
9 the genus Cannabis (Cannabis plant) as well as synthetic
10 equivalents of the substances contained in the Cannabis plant,
11 or in the resinous extractives of such plant, and synthetic
12 substances, derivatives, and their isomers with similar
13 chemical structure and pharmacological activity to those
14 substances contained in the plant, such as the following:

15 Sec. 3. Section 124.204, subsection 4, Code 2011, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *ai.* 5-methoxy-N,N-dimethyltryptamine.

18 Some trade or other names:

19 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.

20 Sec. 4. Section 124.204, subsection 7, Code 2011, is amended
21 by striking the subsection.

22 Sec. 5. Section 124.204, subsection 9, Code 2011, is amended
23 to read as follows:

24 9. *Other materials.* Any material, compound, mixture,
25 or preparation which contains any quantity of the following
26 substances:

27 ~~a. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide~~
28 ~~(benzylfentanyl), its optical isomers, salts and salts of~~
29 ~~isomers.~~

30 ~~b. N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide~~
31 ~~(thenylfentanyl), its optical isomers, salts and salts of~~
32 ~~isomers.~~

33 a. 5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-
34 phenol. Other names: CP-47,497.

35 b. 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-

1 phenol. Other names: cannabicyclohexanol and
2 CP-47,497 C8 homologue.

3 c. 1-Butyl-3-(1-naphthoyl)indole. Other names: JWH-073.

4 d. 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole. Other
5 names: JWH-200.

6 e. 1-Pentyl-3-(1-naphthoyl)indole. Other names: JWH-018
7 and AM678.

8 Sec. 6. Section 124.206, subsection 6, Code 2011, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. c. Immediate precursor to fentanyl:
11 4-anilino-N-phenethyl-4-piperidine (ANPP).

12 Sec. 7. Section 124.206, subsection 7, paragraph a, Code
13 2011, is amended to read as follows:

14 ~~a. Marijuana when used for medicinal purposes pursuant to~~
15 ~~rules of the board.~~

16 Sec. 8. Section 124.208, subsection 6, Code 2011, is amended
17 by adding the following new paragraphs:

18 NEW PARAGRAPH. bh. Boldione
19 (androsta-1,4-diene-3,17-dione).

20 NEW PARAGRAPH. bi. Desoxymethyltestosterone
21 (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
22 also known as madol.

23 NEW PARAGRAPH. bj. 19-nor-4,9(10)-androstadienedione
24 (estra-4,9(10)-diene-3,17-dione).

25 EXPLANATION

26 This bill revises the lists of drugs on the controlled
27 substances schedules, and provides penalties.

28 The bill removes marijuana from schedule I and reclassifies
29 it as a schedule II controlled substance. The bill also
30 strikes references to the authority of the board of pharmacy to
31 adopt rules for the use of marijuana or tetrahydrocannabinols
32 for medicinal purposes. A schedule I controlled substance is a
33 highly addictive substance that has no accepted medical use in
34 the United States and a scheduled II controlled substance is a
35 highly addictive substance that has an accepted medical use in

1 the United States.

2 The reclassification of marijuana from a schedule I
3 controlled substance to a schedule II controlled substance
4 permits a physician to issue a prescription for marijuana.

5 The bill also revises the lists of drugs in the controlled
6 substance schedules to conform with action undertaken by
7 the federal drug enforcement administration. The bill
8 classifies five synthetic cannabinoids, more commonly known
9 as "K2", as schedule I controlled substances. The bill
10 adds a drug commonly referred to as 5-MeO-DMT to the list
11 of schedule I controlled substances as well. The bill also
12 removes benzylfentanyl and thenylfentanyl from the schedule
13 I classification. The bill classifies the substance ANPP, a
14 precursor substance to the controlled substance fentanyl, as a
15 schedule II controlled substance. The bill classifies three
16 anabolic steroids as schedule III controlled substances. A
17 controlled substance classified as a schedule III substance is
18 a substance that has potential for abuse which is less than
19 schedule I and II substances but has an accepted medical use in
20 the United States.

21 It is a class "C" felony pursuant to Code section 124.401,
22 subsection 1, paragraph "c", subparagraph (8), for any
23 unauthorized person to violate a provision of Code section
24 124.401 involving a classified substance placed on schedule
25 I, II, or III pursuant to the bill. The penalties remain
26 unchanged for marijuana under the bill. The penalties under
27 Code section 124.401 range from a class "B" felony punishable
28 by up to 50 years of confinement to a serious misdemeanor
29 punishable by up to six months of confinement depending on the
30 amount of marijuana involved in the offense.