LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature Second Regular Session - 2018

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 340

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; REPEALING SECTION 37-2714, IDAHO CODE, RELATING TO REPUBLISHING OF SCHEDULES; REPEALING SECTION 37-2721, IDAHO CODE, RELATING TO ORDER FORMS; AMENDING SECTION 37-2722, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUING, DISTRIBUTING AND DISPENSING OF CONTROLLED SUBSTANCES; REPEALING SECTION 37-2723, IDAHO CODE, RELATING TO FORM AND CONTENT OF PRESCRIPTIONS; REPEALING SECTION 37-2724, IDAHO CODE, RELATING TO ORDERS FOR A SCHEDULE II SUBSTANCE; AMENDING SECTION 37-2725, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRESCRIPTION DRUG ORDER BLANKS; AMENDING SECTION 37-2727, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED SUBSTANCES IN OPIOID TREATMENT PROGRAMS; AMENDING SECTION 37-2731, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED SUBSTANCE PACKAGE LABELS; AND AMENDING SECTION 37-2734, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

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

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(4) Allylprodine;

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

(56) Alphameprodine;

(67) Alphamethadol;

(78) Alpha-methylfentanyl;

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

(910) Benzethidine;

(101) Betacetylmethadol;

(112) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(1~~2~~3) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3methyl-4-piperidinyl)-N-phenylpropanamide);
(1~~3~~4) Betameprodine;
(1~~4~~5) Betamethadol;
(1~~5~~6) Betaprodine;
(1~~6~~7) Clonitazene;
(1~~7~~8) Dextromoramide;
(1~~8~~9) Diampromide;
(~~19~~20) Diethylthiambutene;
(2~~0~~1) Difenoxin;
(2~~1~~2) Dimenoxadol;
(2~~2~~3) Dimepheptanol;
(2~~3~~4) Dimethylthiambutene;
(2~~4~~5) Dioxaphetyl butyrate;
(2~~5~~6) Dipipanone;
(2~~6~~7) Ethylmethylthiambutene;
(2~~7~~8) Etonitazene;
(2~~8~~9) Etoxeridine;
(~~29~~30) Furethidine;
(3~~0~~1) Hydroxypethidine;
(3~~1~~2) Ketobemidone;
(3~~2~~3) Levomoramide;
(3~~3~~4) Levophenacylmorphan;
(3~~4~~5) 3-Methylfentanyl;
(3~~5~~6) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
(3~~6~~7) Morpheridine;
(3~~7~~8) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
(3~~8~~9) Noracymethadol;
(~~39~~40) Norlevorphanol;
(4~~0~~1) Normethadone;
(4~~1~~2) Norpipanone;
(4~~2~~3) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);
(4~~3~~4) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
(4~~4~~5) Phenadoxone;
(4~~5~~6) Phenampromide;
(4~~6~~7) Phenomorphan;
(4~~7~~8) Phenoperidine;
(4~~8~~9) Piritramide;
(~~49~~50) Proheptazine;
(5~~0~~1) Properidine;
(5~~1~~2) Propiram;
(5~~2~~3) Racemoramide;
(5~~3~~4) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
(5~~4~~5) Tilidine;
(5~~5~~6) Trimeperidine;
(5~~6~~7) u-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexy~~l~~l]-N-methylbenzamide).

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

(1) Acetorphine;
(2) Acetyldihydrocodeine;
(3) Benzylmorphine;
(4) Codeine methylbromide;
(5) Codeine-N-Oxide;
(6) Cyprenorphine;
(7) Desomorphine;
(8) Dihydromorphine;
(9) Drotebanol;
(10) Etorphine (except hydrochloride salt);
(11) Heroin;
(12) Hydromorphinol;
(13) Methyldesorphine;
(14) Methyldihydromorphine;
(15) Morphine methylbromide;
(16) Morphine methylsulfonate;
(17) Morphine-N-Oxide;
(18) Myrophine;
(19) Nicocodeine;
(20) Nicomorphine;
(21) Normorphine;
(22) Pholcodine;
(23) Thebacon.

(d) Hallucinogenic substances. Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

(1) Dimethoxyphenethylamine, or any compound not specifically excepted or listed in another schedule that can be formed from dimethoxyphenethylamine by replacement of one (1) or more hydrogen atoms with another atom(s), functional group(s) or substructure(s) including, but not limited to, compounds such as DOB, DOC, 2C-B, 25B-NBOMe;
(2) Methoxyamphetamine or any compound not specifically excepted or listed in another schedule that can be formed from methoxyamphetamine by replacement of one (1) or more hydrogen atoms with another atom(s), functional group(s) or substructure(s) including, but not limited to, compounds such as PMA and DOM;
(3) 5-methoxy-3,4-methylenedioxy-amphetamine;
(4) 5-methoxy-N,N-diisopropyltryptamine;
(5) Amphetamine or methamphetamine with a halogen substitution on the benzyl ring, including compounds such as fluorinated amphetamine and fluorinated methamphetamine;

(6) 3,4-methylenedioxy amphetamine;
(7) 3,4-methylenedioxymethamphetamine (MDMA);
(8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-ethyl MDA, MDE, MDEA);
(9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, and N-hydroxy MDA);
(10) 3,4,5-trimethoxy amphetamine;
(11) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-(dimethylamino)ethyl]indole and 5-MeO-DMT);
(12) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-aminobutyl) indole);
(13) Alpha-methyltryptamine;
(14) Bufotenine;
(15) Diethyltryptamine (DET);
(16) Dimethyltryptamine (DMT);
(17) Ibogaine;
(18) Lysergic acid diethylamide;
(19) Marihuana;
(20) Mescaline;
(21) Parahexyl;
(22) Peyote;
(23) N-ethyl-3-piperidyl benzilate;
(24) N-methyl-3-piperidyl benzilate;
(25) Psilocybin;
(26) Psilocyn;
(27) Tetrahydrocannabinols or synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure such as the following:
i. Tetrahydrocannabinols:
a. Δ^{1} cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in either a soft gelatin capsule or in an oral solution in a drug product approved by the U.S. Food and Drug Administration.
b. Δ^{6} cis or trans tetrahydrocannabinol, and their optical isomers.
c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.)
d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-o1)], also known as 6aR-trans-3-(1,1-dimethylheptyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric isomers (HU211 or dexanabinol).

ii. The following synthetic drugs:

a. Any compound structurally derived from (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane, or (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl), methyl or dimethyl butanoate, amino-methyl (or dimethyl)-1-oxobutan-2-yl) carboxamide by substitution at the nitrogen atoms of the indole ring or carboxamide to any extent, whether or not further substituted in or on the indole ring to any extent, whether or not substituted to any extent in or on the cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in the ring may include, but is not limited to, heteroatoms such as nitrogen, sulfur and oxygen).

b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring to any extent, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent.

c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring to any extent, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent.

d. Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring to any extent, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent.

e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring to any extent, whether or not substituted in the cyclohexyl ring to any extent.

f. Any compound structurally derived from 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring to any extent, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

g. [2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone (WIN-55,212-2).

h. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-243).

i. [(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 (CP 50,5561).

(28) Ethylamine analog of phencyclidine:N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

(29) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) - pyrrolidine, PCPy, PHP;

(30) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;
(31) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;
(32) Spores or mycelium capable of producing mushrooms that contain psilocybin or psilocin.
(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
(1) Gamma hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate, 4-hydroxybutyrate; 4-hyroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
(2) Flunitrazepam (also known as "R2," "Rohypnol");
(3) Mecloqualone;
(4) Methaqualone.
(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:
(1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
(2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone);
(3) Substituted cathinones. Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl or thiophene ring systems, whether or not the compound is further modified in any of the following ways:
i. By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide substituents, whether or not further substituted in the ring system by one (1) or more other univalent substituents;
ii. By substitution at the 3-position with an acyclic alkyl substituent;
iii. By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
(4) Fenethylline;
(5) Methcathinone (some other names: 2-(methyl-amino)-propiophenone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-464, AL-422, AL-463 and UR1423);
(6) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine];
(7) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
(8) N-ethylamphetamine;
(9) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-benzeneethanamine).

SECTION 2. That Section 37-2714, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Section 37-2721, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Section 37-2722, Idaho Code, be, and the same is hereby amended to read as follows:

37-2722. ~~PRESCRIPTIONS~~ ISSUING, DISTRIBUTING AND DISPENSING OF CONTROLLED SUBSTANCES. No person shall issue or dispense a prescription drug order for a controlled substance unless it is in compliance with applicable state and federal law and rules of the board.

(a) ~~Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no c~~Controlled substances included in schedule I~~I may be dispensed without the written prescription of a practitioner~~ shall be distributed only by a registrant to another registrant pursuant to the federal drug enforcement administration (DEA) order form 222.

(b) ~~In emergency situations, as defined by rule of the board, schedule II drugs may~~ Controlled substances included in schedule II shall:

(1) Be distributed only by a registrant to another registrant pursuant to DEA order form 222.

(2) ~~b~~Be dispensed ~~upon oral~~ only pursuant to a valid prescription ~~of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of section 37-2720, Idaho Code. No prescription for a schedule II substance may be refilled~~ drug order, except when dispensed directly by a prescriber.

(3) Not be refilled.

(4) Include a quantity that is both spelled out in English and written in numerical form, when a written prescription drug order is required.

(c) ~~Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a c~~Controlled substances included in schedule III or IV~~, which is a prescription drug as determined under this act or regulation of the bureau or the board,~~ shall:

(1) ~~not b~~Be dispensed ~~without a written or oral~~ only pursuant to a valid prescription ~~of a practitioner~~ drug order, except when dispensed directly by a prescriber.

(2) ~~The prescription shall n~~Not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(d) ~~A c~~Controlled substances included in schedule V shall not be distributed or dispensed other than for a medical purpose.

(e) ~~Solely for the purpose of allowing the dispensing of~~ A pharmacist may dispense a controlled substance~~s~~ pursuant to ~~the~~ a valid prescription drug order of an individual licensed in a jurisdiction other than the state of Idaho~~, and for no other purpose under this act, with respect to the written or oral prescription of a "practitioner" as required under subsections (a), (b) and (c) of this section, the term "practitioner" shall also include a physician, dentist, veterinarian, scientific investigator or other individual, other than a pharmacy licensed in a jurisdiction other than the state~~

~~of Idaho, and permitted by such license to dispense, conduct research with respect to or administer the prescribed controlled substance in the course of his professional practice or research in such jurisdiction, so~~ as long as the individual is acting within the jurisdiction, scope and authority of his license ~~when issuing the written or oral prescription~~.

SECTION 5. That Section 37-2723, Idaho Code, be, and the same is hereby repealed.

SECTION 6. That Section 37-2724, Idaho Code, be, and the same is hereby repealed.

SECTION 7. That Section 37-2725, Idaho Code, be, and the same is hereby amended to read as follows:

37-2725. ~~PRESCRIPTION REQUIRED -- POSSESSION -- TRANSFERENCE -- CONTENTS~~. (1) ~~A prescription shall be required for all scheduled drugs.~~ Paper prescriptions~~s~~ drug order blanks shall comply with federal law and shall utilize noncopyable paper that contains security provisions against copying that results in some indication on the copy that it is a copy and therefore rendering it null and void.

(2) Prescription drug order blanks shall not be transferable. Any person possessing any such blank otherwise than is herein provided is guilty of a misdemeanor.

(3) The prescription drug order blank shall contain the name and address of the ~~practitioner~~ prescriber. Prescription drug order blanks may contain the printed names of multiple ~~practitioners~~ prescribers who are affiliated; provided however, such prescription drug order blanks shall contain a means, in addition to the signature of the ~~practitioner~~ prescriber, such as a box or a check, for clear identification of the printed name and address of the ~~practitioner~~ prescriber issuing the prescription.

(4) Prescriptions written by a ~~practitioner~~ prescriber in ~~a hospital, nursing home, ambulatory surgery center~~ an institutional facility or other health care facility in which a ~~practitioner~~ prescriber may attend a patient, other than his or her regular place of business, may be written on prescription drug order blanks kept or provided by that facility that contain the name and address of that facility, but not necessarily of the ~~practitioner~~ prescriber, provided the ~~practitioner's~~ prescriber's name must be stamped, written or printed on the completed prescription in a manner that is legible to a pharmacist.

(5) Failure of a ~~practitioner~~ prescriber to clearly mark the ~~practitioner's~~ prescriber's printed name and address on the prescription as required in subsection (3) of this section, or to stamp, write or print the ~~practitioner's~~ prescriber's name legibly as required in subsection (4) of this section shall subject the ~~practitioner~~ prescriber to appropriate discipline by the board. ~~The disciplinary measures shall be established by the board in a rule developed through negotiated rulemaking.~~

(6) ~~Except as provided in section 37-2722, Idaho Code, if a paper prescription is for a schedule II substance, the practitioner shall indicate the desired quantity of the scheduled drug on the prescription blank by both~~

~~writing out the quantity and by indicating or writing the quantity in numerical form.~~

~~(7)~~ Prescription drug order blanks or drugs lost or stolen must be immediately reported to the board.

SECTION 8. That Section 37-2727, Idaho Code, be, and the same is hereby amended to read as follows:

37-2727. CONTROLLED SUBSTANCES IN OPIOID (NARCOTIC) TREATMENT PROGRAMS. (1) At a facility with a controlled substance registration certificate issued by the United States department of justice, drug enforcement administration, for the operation of a narcotic treatment program, a nurse licensed under chapter 14, title 54, Idaho Code, may, pursuant to a valid order of a physician licensed under chapter 18, title 54, Idaho Code:

(a) Prepare and administer to a patient at that facility a controlled substance whether or not a practitioner is present; and

(b) Deliver at that facility to a patient for subsequent use by the patient off-site, take-home doses of a controlled substance, provided that:

(i) The patient is entitled to receive take-home doses of the controlled substance;

(ii) The take-home doses delivered by the nurse to the patient were obtained at the facility by the nurse from a locked storage area suitable to prevent unauthorized access and to ensure a proper environment for preservation of the drugs within such area; and

(iii) The take-home doses were prepared pursuant to a valid prescription drug order of the physician ~~by a pharmacist licensed under chapter 17, title 54, Idaho Code,~~ and were ~~delivered by the pharmacist to the locked storage area at the facility~~ provided in a suitable container appropriately labeled for ~~subsequent delivery by the nurse to the patient and for subsequent~~ use by the patient ~~entitled to receive the take-home doses of the controlled substance~~.

(2) A nurse acting under the authority of this section is exempt from the registration requirements imposed by this chapter.

(3) The facility must be registered under chapter 17, title 54, Idaho Code.

SECTION 9. That Section 37-2731, Idaho Code, be, and the same is hereby amended to read as follows:

37-2731. INFORMATION REQUIRED ON LABEL. ~~(a) The~~ A practitioner ~~dispensing~~ with statutory authority to dispense a controlled substance ~~listed in schedule II~~ shall affix to the package a label ~~showing date of dispensing, the dispenser's name and address, the serial number of the prescription if applicable, the name of the patient, the name of the prescribing practitioner, and directions for use and cautionary statements, if any, contained in such prescription as required by law~~ pursuant to board rule.

~~(b) The practitioner dispensing controlled substances listed in schedule III or IV shall affix to the package a label showing the dispenser's name~~

~~and address, the serial number if applicable, and date of initial dispensing, the name of the patient, the name of the practitioner issuing the prescription, and directions for use and cautionary statements, if any, contained in such prescription as required by law.~~

~~(c) The practitioner dispensing a controlled substance listed in schedule V pursuant to a prescription shall affix to the package a label showing the dispenser's name and address, the serial number if applicable, and the date of dispensing, the name of the patient, the name of the practitioner issuing the prescription, the directions for use and cautionary statements, if any, contained in such prescription as required by law.~~

SECTION 10. That Section 37-2734, Idaho Code, be, and the same is hereby amended to read as follows:

37-2734. PROHIBITED ACTS C -- PENALTIES. (a) It is unlawful for any person knowingly or intentionally:

(1) ~~t~~To distribute as a registrant a controlled substance classified in schedule~~s~~ I or II, except pursuant to ~~an order form as required by~~ the requirements of section 37-272~~1~~2, Idaho Code;

(2) ~~t~~To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person;

(3) ~~t~~To acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge;

(4) ~~t~~To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this act, or any record required to be kept by this act; or

(5) ~~t~~To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render the drug a counterfeit substance.

(b) Any person who violates this section is guilty of a felony and upon conviction may be imprisoned for not more than four (4) years, or fined not more than thirty thousand dollars ($30,000), or both.