

SECOND REGULAR SESSION

SENATE BILL NO. 765

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3137S.011

AN ACT

To repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to the scheduling of kratom as a controlled substance.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.017, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 195.017, to read as follows:

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

- 3 (1) Has high potential for abuse; and
- 4 (2) Has no accepted medical use in treatment in the United States or
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in
8 Schedule I;

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

- 13 (a) Acetyl-alpha-methylfentanyl;
- 14 (b) Acetylmethadol;
- 15 (c) Allylprodine;
- 16 (d) Alphacetylmethadol;
- 17 (e) Alphameprodine;
- 18 (f) Alphamethadol;
- 19 (g) Alpha-methylfentanyl;
- 20 (h) Alpha-methylthiofentanyl;

- 21 (i) Benzethidine;
- 22 (j) Betacetylmethadol;
- 23 (k) Beta-hydroxyfentanyl;
- 24 (l) Beta-hydroxy-3-methylfentanyl;
- 25 (m) Betameprodine;
- 26 (n) Betamethadol;
- 27 (o) Betaprodine;
- 28 (p) Clonitazene;
- 29 (q) Dextromoramide;
- 30 (r) Diampromide;
- 31 (s) Diethylthiambutene;
- 32 (t) Difenoxin;
- 33 (u) Dimenoxadol;
- 34 (v) Dimepheptanol;
- 35 (w) Dimethylthiambutene;
- 36 (x) Dioxaphetyl butyrate;
- 37 (y) Dipipanone;
- 38 (z) Ethylmethylthiambutene;
- 39 (aa) Etonitazene;
- 40 (bb) Etoxidine;
- 41 (cc) Furethidine;
- 42 (dd) Hydroxypethidine;
- 43 (ee) Ketobemidone;
- 44 (ff) Levomoramide;
- 45 (gg) Levophenacymorphan;
- 46 (hh) 3-Methylfentanyl;
- 47 (ii) 3-Methylthiofentanyl;
- 48 (jj) Morpheridine;
- 49 (kk) MPPP;
- 50 (ll) Noracymethadol;
- 51 (mm) Norlevorphanol;
- 52 (nn) Normethadone;
- 53 (oo) Norpipanone;
- 54 (pp) Para-fluorofentanyl;
- 55 (qq) PEPAP;
- 56 (rr) Phenadoxone;

- 57 (ss) Phenampromide;
58 (tt) Phenomorphan;
59 (uu) Phenoperidine;
60 (vv) Piritramide;
61 (ww) Proheptazine;
62 (xx) Properidine;
63 (yy) Propiram;
64 (zz) Racemoramide;
65 (aaa) Thiofentanyl;
66 (bbb) Tilidine;
67 (ccc) Trimeperidine;
68 (3) Any of the following opium derivatives, their salts, isomers and salts
69 of isomers unless specifically excepted, whenever the existence of these salts,
70 isomers and salts of isomers is possible within the specific chemical designation:
71 (a) Acetorphine;
72 (b) Acetyldihydrocodeine;
73 (c) Benzylmorphine;
74 (d) Codeine methylbromide;
75 (e) Codeine-N-Oxide;
76 (f) Cyprenorphine;
77 (g) Desomorphine;
78 (h) Dihydromorphine;
79 (i) Drotebanol;
80 (j) Etorphine (except hydrochloride salt);
81 (k) Heroin;
82 (l) Hydromorphenol;
83 (m) Methyldesorphine;
84 (n) Methyldihydromorphine;
85 (o) Morphine methylbromide;
86 (p) Morphine methylsulfonate;
87 (q) Morphine-N-Oxide;
88 (r) Myrophine;
89 (s) Nicocodeine;
90 (t) Nicomorphine;
91 (u) Normorphine;
92 (v) Pholcodine;

- 93 (w) Thebacon;
- 94 (4) Any material, compound, mixture or preparation which contains any
95 quantity of the following hallucinogenic substances, their salts, isomers and salts
96 of isomers, unless specifically excepted, whenever the existence of these salts,
97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 100 (c) 2,5-dimethoxyamphetamine;
- 101 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 103 (f) 4-methoxyamphetamine;
- 104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 106 (i) 3,4-methylenedioxyamphetamine;
- 107 (j) 3,4-methylenedioxymethamphetamine;
- 108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 110 (m) 3,4,5-trimethoxyamphetamine;
- 111 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts,
112 and salts of isomers;
- 113 (o) Alpha-ethyltryptamine;
- 114 (p) Alpha-methyltryptamine;
- 115 (q) Bufotenine;
- 116 (r) Diethyltryptamine;
- 117 (s) Dimethyltryptamine;
- 118 (t) 5-methoxy-N,N-diisopropyltryptamine;
- 119 (u) Ibogaine;
- 120 (v) Lysergic acid diethylamide;
- 121 (w) Marijuana or marihuana, except industrial hemp;
- 122 (x) Mescaline;
- 123 (y) Parahexyl;
- 124 (z) Peyote, to include all parts of the plant presently classified botanically
125 as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any
126 extract from any part of such plant; and every compound, manufacture, salt,
127 derivative, mixture or preparation of the plant, its seed or extracts;
- 128 (aa) N-ethyl-3-piperidyl benzilate;

- 129 (bb) N-methyl-3-piperidyl benzilate;
- 130 (cc) Psilocybin;
- 131 (dd) Psilocyn;
- 132 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus
- 133 Cannabis (cannabis plant), except industrial hemp, as well as synthetic
- 134 equivalents of the substances contained in the cannabis plant, or in the resinous
- 135 extractives of such plant, or synthetic substances, derivatives, and their isomers
- 136 with similar chemical structure and pharmacological activity to those substances
- 137 contained in the plant, such as the following:
- 138 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 139 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 140 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 141 d. Any compounds of these structures, regardless of numerical designation
- 142 of atomic positions covered;
- 143 (ff) Ethylamine analog of phencyclidine;
- 144 (gg) Pyrrolidine analog of phencyclidine;
- 145 (hh) Thiophene analog of phencyclidine;
- 146 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 147 (jj) Salvia divinorum;
- 148 (kk) Salvinorin A;
- 149 (ll) Synthetic cannabinoids:
- 150 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 151 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
- 152 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 153 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
- 154 further substituted in the indole ring to any extent, whether or not substituted
- 155 in the naphthyl ring to any extent. Including, but not limited to:
- 156 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 157 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 158 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 159 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 160 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 161 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 162 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 163 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 164 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

- 165 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
166 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
167 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
168 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
169 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
170 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
171 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
172 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
173 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
174 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
175 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
176 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
177 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
178 d. Any compound structurally derived from 3-phenylacetylindole by
179 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,
180 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
181 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
182 ring to any extent, whether or not substituted in the phenyl ring to any
183 extent. Including, but not limited to:
184 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
185 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
186 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
187 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
188 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
189 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
190 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
191 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
192 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring
193 to any extent. Including, but not limited to:
194 (i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-
195 methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain
196 n-4,6, or 7;
197 f. Any compound containing a 3-(benzoyl)indole structure with
198 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
199 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
200 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole

201 ring to any extent and whether or not substituted in the phenyl ring to any
202 extent. Including, but not limited to:

- 203 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
- 204 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;
- 205 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-
206 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 207 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
208 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 209 i. HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-
210 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 211 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
212 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 213 k. Dimethylheptylpyran, or DMHP;
- 214 (5) Any material, compound, mixture or preparation containing any
215 quantity of the following substances having a depressant effect on the central
216 nervous system, including their salts, isomers and salts of isomers whenever the
217 existence of these salts, isomers and salts of isomers is possible within the
218 specific chemical designation:
- 219 (a) Gamma-hydroxybutyric acid;
- 220 (b) Mecloqualone;
- 221 (c) Methaqualone;
- 222 (6) Any material, compound, mixture or preparation containing any
223 quantity of the following substances having a stimulant effect on the central
224 nervous system, including their salts, isomers and salts of isomers:
- 225 (a) Aminorex;
- 226 (b) N-benzylpiperazine;
- 227 (c) Cathinone;
- 228 (d) Fenethylamine;
- 229 (e) 3-Fluoromethcathinone;
- 230 (f) 4-Fluoromethcathinone;
- 231 (g) Mephedrone, or 4-methylmethcathinone;
- 232 (h) Methcathinone;
- 233 (i) 4-methoxymethcathinone;
- 234 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
235 oxazolamine);
- 236 (k) Methylendioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-

237 (1-pyrrolidinyl)-1-pentanone;

238 (l) Methydone, or 3,4-Methylenedioxyamphetaminone;

239 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;

240 (n) N-ethylamphetamine;

241 (o) N,N-dimethylamphetamine;

242 (7) A temporary listing of substances subject to emergency scheduling
243 under federal law shall include any material, compound, mixture or preparation
244 which contains any quantity of the following substances:

245 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its
246 optical isomers, salts and salts of isomers;

247 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
248 (thenylfentanyl), its optical isomers, salts and salts of isomers;

249 (8) Khat, to include all parts of the plant presently classified botanically
250 as *catha edulis*, whether growing or not; the seeds thereof; any extract from any
251 part of such plant; and every compound, manufacture, salt, derivative, mixture,
252 or preparation of the plant, its seed or extracts;

253 **(9) Kratom, to include all parts of the plant presently classified**
254 **botanically as *mitragyna speciosa*, whether growing or not; the seeds**
255 **thereof; any extract from any part of such plant; and every compound,**
256 **manufacture, salt, derivative, mixture, or preparation of the plant, its**
257 **seed or extracts.**

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

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

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

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

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

267 (1) Any of the following substances whether produced directly or indirectly
268 by extraction from substances of vegetable origin, or independently by means of
269 chemical synthesis, or by combination of extraction and chemical synthesis:

270 (a) Opium and opiate and any salt, compound, derivative or preparation
271 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
272 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their

273 respective salts but including the following:

274 a. Raw opium;

275 b. Opium extracts;

276 c. Opium fluid;

277 d. Powdered opium;

278 e. Granulated opium;

279 f. Tincture of opium;

280 g. Codeine;

281 h. Ethylmorphine;

282 i. Etorphine hydrochloride;

283 j. Hydrocodone;

284 k. Hydromorphone;

285 l. Metopon;

286 m. Morphine;

287 n. Oxycodone;

288 o. Oxymorphone;

289 p. Thebaine;

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

293 (c) Opium poppy and poppy straw;

294 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
295 leaves, and any salt, compound, derivative, or preparation thereof which is
296 chemically equivalent or identical with any of these substances, but not including
297 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

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

301 (2) Any of the following opiates, including their isomers, esters, ethers,
302 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
303 and salts is possible within the specific chemical designation, dextrorphan and
304 levopropoxyphene excepted:

305 (a) Alfentanil;

306 (b) Alphaprodine;

307 (c) Anileridine;

308 (d) Bezitramide;

- 309 (e) Bulk dextropropoxyphene;
310 (f) Carfentanil;
311 (g) Dihydrocodeine;
312 (h) Diphenoxylate;
313 (i) Fentanyl;
314 (j) Isomethadone;
315 (k) Levo-alphaacetylmethadol;
316 (l) Levomethorphan;
317 (m) Levorphanol;
318 (n) Metazocine;
319 (o) Methadone;
320 (p) Meperidine;
321 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino -4, 4-
322 diphenylbutane;
323 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-
324 carboxylic acid;
325 (s) Pethidine (meperidine);
326 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
327 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
328 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
329 acid;
330 (w) Phenazocine;
331 (x) Piminodine;
332 (y) Racemethorphan;
333 (z) Racemorphan;
334 (aa) Remifentanil;
335 (bb) Sufentanil;
336 (cc) Tapentadol;
337 (3) Any material, compound, mixture, or preparation which contains any
338 quantity of the following substances having a stimulant effect on the central
339 nervous system:
340 (a) Amphetamine, its salts, optical isomers, and salts of its optical
341 isomers;
342 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
343 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
344 (d) Phenmetrazine and its salts;

- 345 (e) Methylphenidate;
- 346 (4) Any material, compound, mixture, or preparation which contains any
347 quantity of the following substances having a depressant effect on the central
348 nervous system, including its salts, isomers, and salts of isomers whenever the
349 existence of those salts, isomers, and salts of isomers is possible within the
350 specific chemical designation:
- 351 (a) Amobarbital;
- 352 (b) Glutethimide;
- 353 (c) Pentobarbital;
- 354 (d) Phencyclidine;
- 355 (e) Secobarbital;
- 356 (5) Any material or compound which contains any quantity of nabilone;
- 357 (6) Any material, compound, mixture, or preparation which contains any
358 quantity of the following substances:
- 359 (a) Immediate precursor to amphetamine and methamphetamine:
360 Phenylacetone;
- 361 (b) Immediate precursors to phencyclidine (PCP):
- 362 a. 1-phenylcyclohexylamine;
- 363 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 364 (7) Any material, compound, mixture, or preparation which contains any
365 quantity of the following alkyl nitrites:
- 366 (a) Amyl nitrite;
- 367 (b) Butyl nitrite.
- 368 5. The department of health and senior services shall place a substance
369 in Schedule III if it finds that:
- 370 (1) The substance has a potential for abuse less than the substances listed
371 in Schedules I and II;
- 372 (2) The substance has currently accepted medical use in treatment in the
373 United States; and
- 374 (3) Abuse of the substance may lead to moderate or low physical
375 dependence or high psychological dependence.
- 376 6. The controlled substances listed in this subsection are included in
377 Schedule III:
- 378 (1) Any material, compound, mixture, or preparation which contains any
379 quantity of the following substances having a potential for abuse associated with
380 a stimulant effect on the central nervous system:

- 381 (a) Benzphetamine;
- 382 (b) Chlorphentermine;
- 383 (c) Clortermine;
- 384 (d) Phendimetrazine;
- 385 (2) Any material, compound, mixture or preparation which contains any
- 386 quantity or salt of the following substances or salts having a depressant effect on
- 387 the central nervous system:
- 388 (a) Any material, compound, mixture or preparation which contains any
- 389 quantity or salt of the following substances combined with one or more active
- 390 medicinal ingredients:
- 391 a. Amobarbital;
- 392 b. Secobarbital;
- 393 c. Pentobarbital;
- 394 (b) Any suppository dosage form containing any quantity or salt of the
- 395 following:
- 396 a. Amobarbital;
- 397 b. Secobarbital;
- 398 c. Pentobarbital;
- 399 (c) Any substance which contains any quantity of a derivative of
- 400 barbituric acid or its salt;
- 401 (d) Chlorhexadol;
- 402 (e) Embutramide;
- 403 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 404 contained in a drug product for which an application has been approved under
- 405 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 406 (g) Ketamine, its salts, isomers, and salts of isomers;
- 407 (h) Lysergic acid;
- 408 (i) Lysergic acid amide;
- 409 (j) Methyprylon;
- 410 (k) Sulfondiethylmethane;
- 411 (l) Sulfonethylmethane;
- 412 (m) Sulfonmethane;
- 413 (n) Tiletamine and zolazepam or any salt thereof;
- 414 (3) Nalorphine;
- 415 (4) Any material, compound, mixture, or preparation containing limited
- 416 quantities of any of the following narcotic drugs or their salts:

417 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
418 more than ninety milligrams per dosage unit, with an equal or greater quantity
419 of an isoquinoline alkaloid of opium;

420 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
421 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
422 ingredients in recognized therapeutic amounts;

423 (c) Not more than three hundred milligrams of hydrocodone per one
424 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
425 fourfold or greater quantity of an isoquinoline alkaloid of opium;

426 (d) Not more than three hundred milligrams of hydrocodone per one
427 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
428 or more active nonnarcotic ingredients in recognized therapeutic amounts;

429 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
430 or not more than ninety milligrams per dosage unit, with one or more active
431 nonnarcotic ingredients in recognized therapeutic amounts;

432 (f) Not more than three hundred milligrams of ethylmorphine per one
433 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
434 or more active, nonnarcotic ingredients in recognized therapeutic amounts;

435 (g) Not more than five hundred milligrams of opium per one hundred
436 milliliters or per one hundred grams or not more than twenty-five milligrams per
437 dosage unit, with one or more active nonnarcotic ingredients in recognized
438 therapeutic amounts;

439 (h) Not more than fifty milligrams of morphine per one hundred milliliters
440 or per one hundred grams, with one or more active, nonnarcotic ingredients in
441 recognized therapeutic amounts;

442 (5) Any material, compound, mixture, or preparation containing any of the
443 following narcotic drugs or their salts, as set forth in subdivision (6) of this
444 subsection; buprenorphine;

445 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
446 pharmacologically related to testosterone (other than estrogens, progestins,
447 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
448 an anabolic steroid which is expressly intended for administration through
449 implants to cattle or other nonhuman species and which has been approved by
450 the Secretary of Health and Human Services for that administration. If any
451 person prescribes, dispenses, or distributes such steroid for human use, such
452 person shall be considered to have prescribed, dispensed, or distributed an

453 anabolic steroid within the meaning of this subdivision. Unless specifically
454 excepted or unless listed in another schedule, any material, compound, mixture
455 or preparation containing any quantity of the following substances, including its
456 salts, esters and ethers:

- 457 (a) 3 β ,17-dihydroxy-5 α -androstane;
458 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
459 (c) 5 α -androstan-3,17-dione;
460 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
461 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
462 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
463 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
464 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
465 (i) 4-androstenedione (androst-4-en-3,17-dione);
466 (j) 5-androstenedione (androst-5-en-3,17-dione);
467 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
468 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
469 (m) Boldione;
470 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
471 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
472 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -
473 methyl-androst-1,4-dien-3-one);
474 (q) Desoxymethyltestosterone;
475 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -
476 androst-1-en-3-one);
477 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
478 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
479 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
480 (v) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost
481 -4-en-3-one);
482 (w) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-
483 dien-3-one);
484 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
485 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
486 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
487 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
488 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);

- 489 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
490 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
491 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
492 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
493 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
494 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);
495 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene);
496 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -
497 hydroxyestr-4-en-3-one);
498 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
499 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
500 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
501 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
502 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -
503 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
504 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
505 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
506 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
507 (ss) 19-nor-4,9(10)-androstadienedione;
508 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
509 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
510 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
511 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
512 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
513 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
514 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
515 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
516 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
517 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
518 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-
519 [5 α]-androstan-3-one);
520 (eee) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno [3,2-c]-
521 pyrazole);
522 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
523 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
524 acid lactone);

525 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);

526 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,
527 11-trien-3-one);

528 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

529 (kkk) Any salt, ester, or ether of a drug or substance described or listed
530 in this subdivision, except an anabolic steroid which is expressly intended for
531 administration through implants to cattle or other nonhuman species and which
532 has been approved by the Secretary of Health and Human Services for that
533 administration;

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

536 (8) The department of health and senior services may except by rule any
537 compound, mixture, or preparation containing any stimulant or depressant
538 substance listed in subdivisions (1) and (2) of this subsection from the application
539 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
540 preparation contains one or more active medicinal ingredients not having a
541 stimulant or depressant effect on the central nervous system, and if the
542 admixtures are included therein in combinations, quantity, proportion, or
543 concentration that vitiate the potential for abuse of the substances which have
544 a stimulant or depressant effect on the central nervous system.

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

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

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

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

553 8. The controlled substances listed in this subsection are included in
554 Schedule IV:

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

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

560 (b) Dextropropoxyphene (α -(+)-4-dimethylamino-1,

561 2-diphenyl-3-methyl-2-propionoxybutane);

562 (c) Any of the following limited quantities of narcotic drugs or their salts,
563 which shall include one or more nonnarcotic active medicinal ingredients in
564 sufficient proportion to confer upon the compound, mixture or preparation
565 valuable medicinal qualities other than those possessed by the narcotic drug
566 alone:

567 a. Not more than two hundred milligrams of codeine per one hundred
568 milliliters or per one hundred grams;

569 b. Not more than one hundred milligrams of dihydrocodeine per one
570 hundred milliliters or per one hundred grams;

571 c. Not more than one hundred milligrams of ethylmorphine per one
572 hundred milliliters or per one hundred grams;

573 (2) Any material, compound, mixture or preparation containing any
574 quantity of the following substances, including their salts, isomers, and salts of
575 isomers whenever the existence of those salts, isomers, and salts of isomers is
576 possible within the specific chemical designation:

577 (a) Alprazolam;

578 (b) Barbital;

579 (c) Bromazepam;

580 (d) Camazepam;

581 (e) Chloral betaine;

582 (f) Chloral hydrate;

583 (g) Chlordiazepoxide;

584 (h) Clobazam;

585 (i) Clonazepam;

586 (j) Clorazepate;

587 (k) Clotiazepam;

588 (l) Cloxazolam;

589 (m) Delorazepam;

590 (n) Diazepam;

591 (o) Dichloralphenazone;

592 (p) Estazolam;

593 (q) Ethchlorvynol;

594 (r) Ethinamate;

595 (s) Ethyl loflazepate;

596 (t) Fludiazepam;

- 597 (u) Flunitrazepam;
- 598 (v) Flurazepam;
- 599 (w) Fospropofol;
- 600 (x) Halazepam;
- 601 (y) Haloxazolam;
- 602 (z) Ketazolam;
- 603 (aa) Loprazolam;
- 604 (bb) Lorazepam;
- 605 (cc) Lormetazepam;
- 606 (dd) Mebutamate;
- 607 (ee) Medazepam;
- 608 (ff) Meprobamate;
- 609 (gg) Methohexital;
- 610 (hh) Methylphenobarbital (mephobarbital);
- 611 (ii) Midazolam;
- 612 (jj) Nimetazepam;
- 613 (kk) Nitrazepam;
- 614 (ll) Nordiazepam;
- 615 (mm) Oxazepam;
- 616 (nn) Oxazolam;
- 617 (oo) Paraldehyde;
- 618 (pp) Petrichloral;
- 619 (qq) Phenobarbital;
- 620 (rr) Pinazepam;
- 621 (ss) Prazepam;
- 622 (tt) Quazepam;
- 623 (uu) Temazepam;
- 624 (vv) Tetrazepam;
- 625 (ww) Triazolam;
- 626 (xx) Zaleplon;
- 627 (yy) Zolpidem;
- 628 (zz) Zopiclone;
- 629 (3) Any material, compound, mixture, or preparation which contains any
- 630 quantity of the following substance including its salts, isomers and salts of
- 631 isomers whenever the existence of such salts, isomers and salts of isomers is
- 632 possible: fenfluramine;

633 (4) Any material, compound, mixture or preparation containing any
634 quantity of the following substances having a stimulant effect on the central
635 nervous system, including their salts, isomers and salts of isomers:

636 (a) Cathine ((+)-norpseudoephedrine);

637 (b) Diethylpropion;

638 (c) Fencamfamin;

639 (d) Fenproporex;

640 (e) Mazindol;

641 (f) Mefenorex;

642 (g) Modafinil;

643 (h) Pemoline, including organometallic complexes and chelates thereof;

644 (i) Phentermine;

645 (j) Pipradrol;

646 (k) Sibutramine;

647 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

648 (5) Any material, compound, mixture or preparation containing any
649 quantity of the following substance, including its salts:

650 (a) butorphanol;

651 (b) pentazocine;

652 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when
653 the substance is the only active medicinal ingredient;

654 (7) The department of health and senior services may except by rule any
655 compound, mixture, or preparation containing any depressant substance listed in
656 subdivision (1) of this subsection from the application of all or any part of sections
657 195.010 to 195.320 and sections 579.015 to 579.086 if the compound, mixture, or
658 preparation contains one or more active medicinal ingredients not having a
659 depressant effect on the central nervous system, and if the admixtures are
660 included therein in combinations, quantity, proportion, or concentration that
661 vitiate the potential for abuse of the substances which have a depressant effect
662 on the central nervous system.

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

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

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

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

671 10. The controlled substances listed in this subsection are included in
672 Schedule V:

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

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

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

683 (c) Not more than five-tenths milligram of difenoxin and not less than
684 twenty-five micrograms of atropine sulfate per dosage unit;

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

688 (3) Any compound, mixture, or preparation containing any detectable
689 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
690 isomers or any compound, mixture, or preparation containing any detectable
691 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

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

696 (a) Lacosamide;

697 (b) Pregabalin.

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

701 (1) All packages of any compound, mixture, or preparation containing any
702 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of
703 optical isomers or ephedrine, its salts or optical isomers, or salts of optical
704 isomers, shall be offered for sale only from behind a pharmacy counter where the

705 public is not permitted, and only by a registered pharmacist or registered
706 pharmacy technician; and

707 (2) Any person purchasing, receiving or otherwise acquiring any
708 compound, mixture, or preparation containing any detectable quantity of
709 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
710 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least
711 eighteen years of age; and

712 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
713 shall require any person, prior to such person's purchasing, receiving or otherwise
714 acquiring such compound, mixture, or preparation to furnish suitable photo
715 identification that is issued by a state or the federal government or a document
716 that, with respect to identification, is considered acceptable and showing the date
717 of birth of the person;

718 (4) The seller shall deliver the product directly into the custody of the
719 purchaser.

720 12. Pharmacists, intern pharmacists, and registered pharmacy technicians
721 shall implement and maintain an electronic log of each transaction. Such log
722 shall include the following information:

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

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

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

726 (4) The name or initials of the pharmacist, intern pharmacist, or
727 registered pharmacy technician who dispensed the compound, mixture, or
728 preparation to the purchaser.

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

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

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

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

740 17. The scheduling of substances specified in subdivision (3) of subsection

741 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
742 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
743 capsule form or to any compound, mixture, or preparation specified in subdivision
744 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
745 in a pharmacy pursuant to a prescription.

746 18. The manufacturer of a drug product or another interested party may
747 apply with the department of health and senior services for an exemption from
748 this section. The department of health and senior services may grant an
749 exemption by rule from this section if the department finds the drug product is
750 not used in the illegal manufacture of methamphetamine or other controlled or
751 dangerous substances. The department of health and senior services shall rely
752 on reports from law enforcement and law enforcement evidentiary laboratories in
753 determining if the proposed product can be used to manufacture illicit controlled
754 substances.

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

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

761 21. Logs of transactions required to be kept and maintained by this
762 section and section 195.417 shall create a rebuttable presumption that the person
763 whose name appears in the logs is the person whose transactions are recorded in
764 the logs.

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