

# ARKANSAS REGISTER

## Transmittal Sheet

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Secretary of State

**Mark Martin**

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Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Health

Department Center for Health Protection/Pharmacy Services

Contact James Myatt E-mail james.myatt@arkansas.gov Phone (501) 661-2325

Statutory Authority for Promulgating Rules A.C.A. 5-64-201

Rule Title: Rules and Regulations Pertaining to the List of Controlled Substances for the State of Arkansas

### Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 30 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 30 days after filing date.)

### Date

Legal Notice Published 3/15/2015

Final Date for Public Comment 4/20/2015

Reviewed by Legislative Council \_\_\_\_\_

Adopted by State Agency 4/23/2015

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Elizabeth Pitman sarah.pitman@arkansas.gov 4/24/2015

Contact Person

E-mail Address

Date

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

*Rick D. Hogan*  
Signature

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General Counsel

Title

4/24/2015

Date

**FILED**

APR 24 2015

Arkansas  
Secretary of State

List  
Of  
Controlled  
Substances



For the  
State  
Of  
Arkansas

May 24, 2015

Pursuant to the provisions of Arkansas Code Annotated § 5-64-201 and § 5-64-216 of the laws of the State of Arkansas, the Director of the Arkansas Department of Health or duly authorized agent, as specified by law, is giving public notice of the publication of the List of Controlled Substances for the State of Arkansas.

Due consideration has been given applicable federal regulations, current scientific knowledge regarding the listed substances, the evidence of actual or relative potential for abuse, the history and current patterns of abuse, the risk to the public health, and potential to produce psychic or psychological dependence liability.

Based on these considerations the attached listing of the Schedule of Controlled Substances and the corresponding drugs that are included in each schedule is hereby promulgated by the Director of the Arkansas Department of Health as the List of Controlled Substances for the State of Arkansas.

Each controlled substance or basic class thereof has been assigned an "Administration Controlled Substance Code Number" for purposes of identification. These numbers are for internal management and are used as a means to identify substances with complex and cumbersome chemical names.

Next to the code number is the date the substance was placed in schedule by the Director of the Arkansas Department of Health.

I, James Myatt, P.D., Branch Chief of Pharmacy Services for the Arkansas Department of Health, do hereby certify that the documents attached hereto are true and correct copies of the current List of Controlled Substances adopted by the Arkansas State Board of Health in accordance with Arkansas state law.

**James Myatt, P.D., Chief**  
Pharmacy Services Branch

STATE OF ARKANSAS )  
 )  
COUNTY OF SALINE )

I, Leslie Lovett, do hereby certify that James Myatt, P.D., well known to me, appeared before me and signed the above referenced document.

Sworn and subscribed to before me this                      day of April, 2015.

Notary Public

My commission expires

**ARKANSAS DEPARTMENT OF HEALTH**

**LIST OF CONTROLLED SUBSTANCES**

**SECTION I AUTHORITY**

The following scheduling of these controlled substances has been hereby promulgated pursuant to Arkansas Stat. Ann. §5-64-201 and §5-64-216.

**SECTION II PURPOSE**

Due consideration has been given applicable Federal regulations, current scientific knowledge regarding the listed substances, the evidence of actual or relative potential for abuse, the history and current patterns of abuse, the risk to the public health, and potential to produce psychic or psychological dependence liability.

**SECTION III GENERAL REQUIREMENTS**

(Attached copy of the listing of scheduling of controlled substances)

**SECTION IV REPEAL**

All lists of schedules of controlled substances in conflict herewith are hereby repealed.

**CERTIFICATION**

This will certify the following list of scheduling of controlled substances was adopted by the Arkansas State Board of Health at a session of the Board held in Little Rock, Arkansas on the 23rd day of April, 2015, and after a Public Hearing on the 20<sup>th</sup> day of April, 2015, held in Little Rock, Arkansas, at the State Department of Health Building.

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**Nathaniel Smith, M.D., MPH**  
**Director, Arkansas Department of Health**

## ARTICLE II

### Schedule I

(a) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **Opiates: (Narcotic Drugs)** Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, salts is possible within the specific chemical designation (for purposes of paragraph (b) (34) only, the term isomer includes the optical and geometric isomers):

- |                                                                                                                                                        |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| (1) Acetyl-alpha-methylfentanyl (N-[1-[1-methyl-2-phenethyl]-4-piperidinyl]-N-phenylacetamide) -----                                                   | 9815-(2-86) |
| (2) Acetylmethadol -----                                                                                                                               | 9601*       |
| (3) Allylprodine -----                                                                                                                                 | 9602*       |
| (4) Alphacetylmethadol (except Levo-alphacetylmethadol (LAAM) -----                                                                                    | 9603*       |
| (5) Alphameprodine -----                                                                                                                               | 9604*       |
| (6) Alphamethadol -----                                                                                                                                | 9605*       |
| (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propranilide; 1-(1-methyl-2-phenylethyl)-4 (N-propanilido)piperidine) ----- | 9814-(6-82) |
| (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) -----                                                  | 9832-(2-86) |
| (9) Benzethidine -----                                                                                                                                 | 9606*       |
| (10) Betacetylmethadol -----                                                                                                                           | 9607*       |
| (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) -----                                                      | 9830-(2-86) |
| (12) Beta-hydroxy-3-methylfentanyl<br>[other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropamamide] -----                     | 9831-(2-86) |
| (13) Betameprodine -----                                                                                                                               | 9608*       |
| (14) Betamethadol -----                                                                                                                                | 9609*       |
| (15) Betaprodine -----                                                                                                                                 | 9611*       |
| (16) Clonitazene -----                                                                                                                                 | 9612*       |
| (17) Dextromoramide -----                                                                                                                              | 9613*       |
| (18) Diampromide -----                                                                                                                                 | 9615*       |
| (19) Diethylthiambutene -----                                                                                                                          | 9616*       |
| (20) Difenoxin -----                                                                                                                                   | 9168*       |
| (21) Dimenoxadol -----                                                                                                                                 | 9617*       |
| (22) Dimepheptanol -----                                                                                                                               | 9618*       |
| (23) Dimethylthiambutene -----                                                                                                                         | 9619*       |
| (24) Dioxaphetyl butyrate -----                                                                                                                        | 9621*       |
| (25) Dipipanone -----                                                                                                                                  | 9622*       |
| (26) Ethylmethylthiambutene -----                                                                                                                      | 9623*       |
| (27) Etonitazene -----                                                                                                                                 | 9624*       |
| (28) Etoperidine -----                                                                                                                                 | 9625*       |
| (29) Furethidine -----                                                                                                                                 | 9626*       |
| (30) Hydroxypethidine -----                                                                                                                            | 9627*       |
| (31) Ketobemidone -----                                                                                                                                | 9628*       |
| (32) Levomoramide -----                                                                                                                                | 9629*       |
| (33) Levophenacylmorphane -----                                                                                                                        | 9631*       |
| (34) 3-Methylfentanyl (N-[3-Methyl-1-(2-phenylethyl)-4-                                                                                                |             |

|      |                                                                                                 |              |
|------|-------------------------------------------------------------------------------------------------|--------------|
|      | piperidyl]-N-Phenylpropanamide) -----                                                           | 9813-(10-85) |
| (35) | 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) ----- | 9833-(2-86)  |
| (36) | Morpheridine -----                                                                              | 9632*        |
| (37) | MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)---                                              | 9661-(10-85) |
| (38) | Noracymethadol -----                                                                            | 9633*        |
| (39) | Norlevorphanol -----                                                                            | 9634*        |
| (40) | Normethadone -----                                                                              | 9635*        |
| (41) | Norpipanone -----                                                                               | 9636*        |
| (42) | Para-fluorofentanyl (N-[4-fluorophenyl]-N-[1-(2-phenethyl)-4-piperindinyl]propanamide) -----    | 9812-(11-86) |
| (43) | PEPAP 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine -----                                    | 9663-(10-85) |
| (44) | Phenadoxone -----                                                                               | 9637*        |
| (45) | Phenampromide -----                                                                             | 9638*        |
| (46) | Phenomorphane -----                                                                             | 9647*        |
| (47) | Phenoperidine -----                                                                             | 9641*        |
| (48) | Piritramide -----                                                                               | 9642*        |
| (49) | Proheptazine -----                                                                              | 9643*        |
| (50) | Properidine -----                                                                               | 9644*        |
| (51) | Propiram -----                                                                                  | 9649*        |
| (52) | Racemoramide -----                                                                              | 9645*        |
| (53) | Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) -----                  | 9835-(2-86)  |
| (54) | Tilidine -----                                                                                  | 9750-(9-81)  |
| (55) | Trimeperidine -----                                                                             | 9646*        |

(c) **Opium derivatives: (Narcotic Drugs)** Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, 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)  | Acetorphine -----                           | 9319* |
| (2)  | Acetyldihydrocodeine -----                  | 9051* |
| (3)  | Benzylmorphine -----                        | 9052* |
| (4)  | Codeine methylbromide -----                 | 9070* |
| (5)  | Codeine-N-Oxide -----                       | 9053* |
| (6)  | Cyprenorphine -----                         | 9054* |
| (7)  | Desomorphine -----                          | 9055* |
| (8)  | Dihydromorphine -----                       | 9145* |
| (9)  | Drotebanol -----                            | 9335* |
| (10) | Etorphine (except hydrochloride salt) ----- | 9056* |
| (11) | Heroin -----                                | 9200* |
| (12) | Hydromorphanol -----                        | 9301* |
| (13) | Methyldesorphine -----                      | 9302* |
| (14) | Methyldihydromorphine -----                 | 9304* |
| (15) | Morphine methylbromide -----                | 9305* |
| (16) | Morphine methylsulfonate -----              | 9306* |
| (17) | Morphine-N-Oxide -----                      | 9307* |
| (18) | Myrophine -----                             | 9308* |
| (19) | Nicocodeine -----                           | 9309* |
| (20) | Nicomorphine -----                          | 9312* |
| (21) | Normorphine -----                           | 9313* |
| (22) | Pholcodine -----                            | 9314* |
| (23) | Thebacon -----                              | 9315* |

(d) **Hallucinogenic substances:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substance, or which

contains any of 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 (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

- (1) alpha-ethyltryptamine ----- 7249-(12-93)  
Some trade or other names: etryptamine; Monase;  
alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)  
indole; alpha-ET; and AET.
- (2) 4-bromo-2,5-dimethoxy-amphetamine ----- 7391\*  
Some trade or other names: 4-bromo-2,5-dimethoxy-  
alpha-methylphenethylamine; 4-bromo-2,5-DMA.
- (3) 4-bromo-2,5-dimethoxyphenethylamine ----- 7392-(8-95)  
Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1  
aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.
- (4) 2,5-dimethoxyamphetamine ----- 7396\*  
Some trade or other names: 2,5-dimethoxy-alpha-  
methylphenethylamine; 2,5-DMA.
- (5) 2,5-dimethoxy-4-ethylamphetamine ----- 7399-(3-88)  
Some trade or other names: DOET.
- (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine----- 7348-(1-05)  
Some trade or other names: 2C-T-7.
- (7) 4-methoxyamphetamine ----- 7411\*  
Some trade or other names: 4-methoxy-alpha-  
methylphenethylamine; paramethoxyamphetamine; PMA.
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine ----- 7401\*
- (9) 4-methyl-2,5-dimethoxyamphetamine ----- 7395\*  
Some trade and other names: 4-methyl-2,5-dimethoxy-  
alphamethylphenethylamine; "DOM"; and "STP".
- (10) 3,4-methylenedioxy amphetamine ----- 7400\*
- (11) 3,4-methylenedioxymethamphetamine ----- 7405-(10-85)  
Some trade or other names: MDMA)
- (12) 3,4-methylenedioxy-N-ethylamphetamine ----- 7404-(6-90)  
Some trade or other names: N- ethy-alpha-methyl-3,4  
(methylenedioxy) phenethylamine, N-ethyl MDA; MDE;  
MDEA.
- (13) N-hydroxy-3,4-methylenedioxyamphetamine ----- 7402-(6-90)  
Some trade or other names: N-hydroxy-alpha-methyl-3,  
4(methylenedioxy) phenethylamine; N-hydroxy MDA
- (14) 3,4,5-trimethoxy amphetamine ----- 7390\*
- (15) 5-methoxy-n,n-dimethyltryptamine 5-MeO-DMT----- 7431\*(01-11)
- (16) alpha-methyltryptamine ----- 7432-(7-05)  
Some trade or other names: AMT
- (17) Bufotenine ----- 7433\*  
Some trade and other names: 3-(beta-  
Dimethylaminoethyl)-5-hydroxyindole; 3-(2-  
dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin;  
5-hydroxy-N,N-dimethyltryptamine; mappine.
- (18) Diethyltryptamine ----- 7434\*  
Some trade or other names: N,N-Diethyltryptamine;  
DET.
- (19) Dimethyltryptamine ----- 7435\*  
Some trade or other names: DMT
- (20) 5-methoxy-N,N-diisopropyltryptamine ----- 7439-(7-05)  
Some trade or other names: 5-MeO-DIPT.
- (21) Ibogaine ----- 7260\*  
Some trade and other names: 7-Ethyl-6,6 beta; 7,8,9,  
10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido  
[1',2': 1,2] azepino [5,4-b] indole; Tabernanthe  
iboga.

|      |                                                                                                                                                                                                                                                                                                                                                                                   |              |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (22) | Lysergic acid diethylamide -----                                                                                                                                                                                                                                                                                                                                                  | 7315*        |
| (23) | Mescaline -----                                                                                                                                                                                                                                                                                                                                                                   | 7381*        |
| (24) | Parahexyl -----                                                                                                                                                                                                                                                                                                                                                                   | 7374- (7-83) |
|      | Some trade or other names: 3-Hexyl-1-hydroxy-<br>7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo<br>[b,d] pyran; Synhexyl.                                                                                                                                                                                                                                                         |              |
| (25) | Peyote -----                                                                                                                                                                                                                                                                                                                                                                      | 7415*        |
|      | Meaning all parts of the plant presently classified<br>botanically as <i>Lophophora williamsii</i> Lemaire, whether<br>growing or not; the seeds thereof; any extract from<br>any part of such plant; and every compound,<br>manufacture, salts, derivative, mixture or<br>preparation of such plant, its seeds or extracts.<br>(Interprets 21 USC 812 (c), Schedule I (c) (12)). |              |
| (26) | N-ethyl-3-piperidyl benzilate -----                                                                                                                                                                                                                                                                                                                                               | 7482*        |
| (27) | N-methyl-3-piperidyl benzilate -----                                                                                                                                                                                                                                                                                                                                              | 7484*        |
| (28) | Psilocybin -----                                                                                                                                                                                                                                                                                                                                                                  | 7437*        |
| (29) | Psilocyn -----                                                                                                                                                                                                                                                                                                                                                                    | 7438*        |
| (30) | Ethylamine Analog of phencyclidine -----                                                                                                                                                                                                                                                                                                                                          | 7455*        |
|      | Some trade or other names:<br>N-ethyl-1-phenylcyclohexylamine,<br>(phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)<br>ethylamine; cyclohexamine; PCE.                                                                                                                                                                                                                         |              |
| (31) | Pyrrolidine Analog of phencyclidine -----                                                                                                                                                                                                                                                                                                                                         | 7458*        |
|      | Some trade or other names: 1-(1-phenylcyclohexyl)-<br>pyrrolidine; PCPy; PHP                                                                                                                                                                                                                                                                                                      |              |
| (32) | Thiophene Analog of phencyclidine -----                                                                                                                                                                                                                                                                                                                                           | 7470*        |
|      | Some trade or other names: 1-[1-(2-thienyl)<br>cyclohexyl] Piperidine; 2-Thienyl analog of<br>phencyclidine; TCPy; TCP.                                                                                                                                                                                                                                                           |              |
| (33) | 1-[1-(2-Thienyl)cylcohexyl]pyrrolidine -----                                                                                                                                                                                                                                                                                                                                      | 7473- (9-89) |
|      | Some other trade or other names: TCPy.                                                                                                                                                                                                                                                                                                                                            |              |
| (34) | N,N-Diallyl-5-Methoxytryptamine; 5-MeO DALT                                                                                                                                                                                                                                                                                                                                       |              |
| (35) | 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)<br>methyl]ethanamine; 25C-NBOMe                                                                                                                                                                                                                                                                                             |              |
| (36) | 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)<br>methyl]ethanamine; 25I-NBOMe                                                                                                                                                                                                                                                                                               |              |
| (37) | 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine; 2C-E-----                                                                                                                                                                                                                                                                                                                              | 7509         |
| (38) | 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine; 2C-D----                                                                                                                                                                                                                                                                                                                              | 7508         |
| (39) | 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine; 2C-C----                                                                                                                                                                                                                                                                                                                              | 7519         |
| (40) | 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine; 2C-I-----                                                                                                                                                                                                                                                                                                                               | 7518         |
| (41) | 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine;<br>2C-T-2-----                                                                                                                                                                                                                                                                                                                   | 7385         |
| (42) | 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine;<br>2C-T-4-----                                                                                                                                                                                                                                                                                                               | 7532         |
| (43) | 2-(2,5-Dimethoxyphenyl)ethanamine; 2C-H-----                                                                                                                                                                                                                                                                                                                                      | 7517         |
| (44) | 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine; 2C-N----                                                                                                                                                                                                                                                                                                                              | 7521         |
| (45) | 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine;<br>2C-P-----                                                                                                                                                                                                                                                                                                                      | 7524         |

(e) **Depressants:** 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) Phenazepam
- (2) gamma-hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate;



- 4-hydroxydutanioic acid; sodium oxybate; sodium oxybutyrate), and its known precursors and analogs -- 2010-(2-01)
- (3) Mecloqualone ----- 2572\*
- (4) Methaqualone ----- 2565\*
- (5) Etizolam

(f) **Stimulants:** (a) 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) Cathinone ----- 1235-(3-88)
- (2) (+) CIS-4-Methylaminorex [(+)-CIS-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline] ----- 1590-(6-90)
- (3) Fenethylamine ----- 1503-(9-81)
- (4) N-Benzylpiperazine ----- 7493-(1-05)  
Some trade or other names: BZP, 1-Benzylpiperazine
- (5) N-ethylamphetamine ----- 1475-(6-82)
- (6) N-[1-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers ----- 9818-(2-86)
- (7) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers ----- 9834-(2-86)
- (8) N, N, Dimethylamphetamine (some other names: N, N Alpha-trimethylbenzeneethanamine; N, N, Alpha-trimethylphenethylamine), its salts, optical isomers, and salts of optical isomers ----- 1480-(2-89)
- (9) Methcathinone (some other names: 2-Methylamine-Propiophenone, alpha (methylamino)-Propiophenone, 2 (methylamino)-1-phenylpropan-1-one, alpha-N-Methylaminopropiophenone, monomethylpropion, ephedrone, N-methylcathinone, methycathinone, AL-464, AL-422, AL-463 and UR-1431), its salts, optical isomers and salts of optical isomers ----- 1237-(12-93)
- (10) Aminorex (some other names: aminorex, 2-amino-5-phenyl-2-oxazoline, or 4,5 dihydro-5-phenyl-2-oxazoline, its salts, optical isomers, and salts of optical isomers ----- 1585-(12-93)
- (11) Methyl-N-ethylcathinone (MEC)

(b) Any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of the following substances' analogs, salts, isomers, and salts of isomers when the existence of the analogs, salts, isomers, and salts of isomers is possible within the specific chemical designation, with the following chemical structure is included in Schedule I:

- (1) 4-Methylmethcathinone (Mephedrone) ----- 1248-(3-11)
- (2) Methylenedioxypyrovalerone (MDPV) ----- (3-11)
- (3) 3,4-Methylenedioxy-N-methylcathinone (Methylone) ----- 7540-(3-11)
- (4) 4-Methoxymethcathinone ----- (3-11)
- (5) 3-Fluoromethcathinone ----- (3-11)
- (6) 4-Fluoromethcathinone ~~or~~ ----- (3-11)
- (7) 1-(1,3-benzodioxol-5-yl)-2-methylamino)butan-1-one (Butylone) or
- (8) A compound, unless listed in another schedule or a legend drug, that is structurally derived from 2-Amino-phenyl-1-propanone by modification or by substitution:

- (A) In the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one (1) or more other univalent substituents;
- (B) At the 3-position with an alkyl substituent; or
- (C) At the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

## **Schedule II**

(a) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

(b) **Narcotic Drugs:** Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan, nalbuphine, nalmeferine, naloxone and naltrexone and their respective salts, but including the following:
 

|                                    |             |
|------------------------------------|-------------|
| (1) Raw opium -----                | 9600*       |
| (2) Opium extracts -----           | 9610*       |
| (3) Opium fluid extracts -----     | 9620*       |
| (4) Powdered opium -----           | 9639*       |
| (5) Granulated opium -----         | 9640*       |
| (6) Tincture of opium -----        | 9630*       |
| (7) Codeine -----                  | 9050*       |
| (8) Dihydroetorphine-----          | 9334*       |
| (9) Ethylmorphine -----            | 9190*       |
| (10) Etorphine hydrochloride ----- | 9059*       |
| (11) Hydrocodone -----             | 9193*       |
| (12) Hydromorphone -----           | 9150*       |
| (13) Metopon -----                 | 9260*       |
| (14) Morphine -----                | 9300*       |
| (15) Oripavine -----               | 9330*(9-07) |
| (16) Oxycodone -----               | 9143*       |
| (17) Oxymorphone -----             | 9652*       |
| (18) Thebaine -----                | 9333*       |
| (19) Tapentadol -----              | 9780-(5-09) |
- (2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b) (1) of this section, except that these substances shall not include the isoquinoline alkaloids of opium.\*
- (3) Opium poppy and poppy straw.\*
- (4) Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves, (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.\*
- (5) Concentrate or poppy straw (the crude extract of poppy straw in

either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy), 9670.\*

(c) **Opiates: (Narcotic Drugs)** Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designations:

|      |                                                                                         |              |
|------|-----------------------------------------------------------------------------------------|--------------|
| (1)  | Alfentanil -----                                                                        | 9737-(2-87)  |
| (2)  | Alphaprodine -----                                                                      | 9010*        |
| (3)  | Anileridine -----                                                                       | 9020*        |
| (4)  | Bezitramide -----                                                                       | 9800*        |
| (5)  | Bulk Dextropropoxyphene (non-dosage forms) -----                                        | 9273-(9-81)  |
| (6)  | Carfentanil -----                                                                       | 9743-(9-88)  |
| (7)  | Dihydrocodeine -----                                                                    | 9120*        |
| (8)  | Diphenoxylate -----                                                                     | 9170*        |
| (9)  | Fentanyl -----                                                                          | 9801*        |
| (10) | Isomethadone -----                                                                      | 9226*        |
| (11) | Levo-alphacetylmethadol (LAAM) -----                                                    | 9648-(12-93) |
| (12) | Levomethorphan -----                                                                    | 9210*        |
| (13) | Levorphanol -----                                                                       | 9220*        |
| (14) | Metazocine -----                                                                        | 9240*        |
| (15) | Methadone -----                                                                         | 9250*        |
| (16) | Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane -----              | 9254*        |
| (17) | Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid ----- | 9802*        |
| (18) | Pethidine (Meperidine) -----                                                            | 9230*        |
| (19) | Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine -----                     | 9232*        |
| (20) | Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate -----                  | 9233*        |
| (21) | Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid -----           | 9234*        |
| (22) | Phenazocine -----                                                                       | 9715*        |
| (23) | Piminodine -----                                                                        | 9730*        |
| (24) | Racemethorphan -----                                                                    | 9732*        |
| (25) | Racemorphan -----                                                                       | 9733*        |
| (26) | Remifentanyl -----                                                                      | 9739-(11-96) |
| (27) | Sufentanil -----                                                                        | 9740-(9-81)  |

(d) **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:

|     |                                                                                 |             |
|-----|---------------------------------------------------------------------------------|-------------|
| (1) | Amphetamine, its salts, optical isomers, and salts of its optical isomers ----- | 1100*       |
| (2) | Methamphetamine, its salts, isomers, and salts of its isomers -----             | 1105*       |
| (3) | Lisdexamfetamine -----                                                          | 1205*(7-07) |
| (4) | Phenmetrazine and its salts -----                                               | 1631*       |
| (5) | Methylphenidate -----                                                           | 1724*       |

(e) **Depressants:** 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) | Amobarbital -----   | 2125*       |
| (2) | Glutethimide -----  | 2550-(2-91) |
| (3) | Pentobarbital ----- | 2270*       |
| (4) | Phencyclidine ----- | 7471*       |
| (5) | Secobarbital -----  | 2315*       |

(f) **Hallucinogenic Substances:**

- |     |                                                                                                                                           |              |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (1) | Nabilone -----                                                                                                                            | 7379-(11-87) |
|     | [Another name for nabilone: (+)trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one]. |              |

(g) **Immediate Precursor:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- |      |                                                                                                 |              |
|------|-------------------------------------------------------------------------------------------------|--------------|
| (1)  | Immediate precursor to Amphetamine and Methamphetamine:                                         |              |
| (i)  | Phenylacetone -----                                                                             | 8501-(3-80)  |
|      | Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl Ketone; methyl benzyl Ketone. |              |
| (2)  | Immediate precursor to Phencyclidine (PCP):                                                     |              |
| (i)  | 1-phenylcyclohexylamine -----                                                                   | 7460*        |
| (ii) | 1-piperidinocyclohexanecarbonitrile (PCC) -----                                                 | 8603*        |
| (3)  | Immediate precursor to Fentanyl:                                                                |              |
| (i)  | 4-anilino-n-phenethyl-4-piperidine (ANPP) -----                                                 | 8333*(08-10) |

### **Schedule III**

(a) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **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 (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| (1) | Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under Section 308.32, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances----- | 1405* |
| (2) | Benzphetamine -----                                                                                                                                                                                                                                                                                                                                                                                                                | 1228* |
| (3) | Chlorphentermine -----                                                                                                                                                                                                                                                                                                                                                                                                             | 1645* |
| (4) | Clortermine -----                                                                                                                                                                                                                                                                                                                                                                                                                  | 1647* |
| (5) | Phendimetrazine -----                                                                                                                                                                                                                                                                                                                                                                                                              | 1615* |

(c) **Depressants:** 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:

- |     |                                                   |
|-----|---------------------------------------------------|
| (1) | Any compound, mixture, or preparation containing: |
|-----|---------------------------------------------------|

- (i) Amobarbital ----- 2126\*
- (ii) Secobarbital ----- 2316\*
- (iii) Pentobarbital ----- 2271\*
- (iv) Embutramide ----- 2020\*(9-06)  
or any salt thereof and one or more other  
active medicinal ingredients which are not  
listed in any schedule.
- (2) Any suppository dosage form containing:
  - (i) Amobarbital ----- 2126\*
  - (ii) Secobarbital ----- 2316\*
  - (iii) Pentobarbital ----- 2271\*  
or any salt of any of these drugs and  
approved by the Food and Drug Administration  
for marketing only as a suppository.
- (3) Any substance which contains any quantity of a  
derivative of barbituric acid or any salt thereof---- 2100\*
- (4) Chlorhexadol ----- 2510\*
- (5) Any drug product containing gamma hydroxybutyric  
acid, including its salts, isomers, and salts of  
isomers, for which an application is approved under  
section 505 of the Federal Food, Drug, and Cosmetic  
Act----- 2012-(2-01)
- (6) Ketamine. its salts, isomers, and salts of isomers--- 7285-(7-99)  
Some other names for Ketamine: (+)-2-(2-  
Chlorophenyl)-2-(Methylamino)-Cyclohexanone.
- (7) Lysergic acid ----- 7300\*
- (8) Lysergic acid amide ----- 7310\*
- (9) Methyprylon ----- 2575\*
- (10) fendiethylmethane ----- 2600\*
- (11) Sulfonethylmethane ----- 2605\*
- (12) Sulfonmethane ----- 2610\*
- (13) Tiletamine and zolazepam or any salt thereof ----- 7295-(3-88)  
Some trade or other name for a tiletamine-  
zolazepam combination product: Telazol.  
Some trade or other names for tiletamine:  
-2(ethylamino)-2-(2-thienyl)-cyclohexanone.  
Some trade or other names for zolazepam:  
-4(2-fluorophenyl)-6,8-dihydro-1,3,8,-  
trimethylpyrazolo-[3,4-e] [1,4,]-diazepin-7  
(1-H)-one. flupyrzapon.
- (14) Perampanel ----- 2261-(11-13)
- (d) **Nalorphine** ----- 9400\*
- (e) **Narcotic drugs:** Unless specifically excepted or unless listed in another  
schedule:
  - (1) any material, compound, mixture, or preparation  
containing any of the following narcotic drugs, or  
their salts calculated as the free anhydrous base  
or alkaloid, in limited quantities as set forth  
below:
    - (i) Not more than 1.8 grams of codeine per 100  
milliliters or not more than 90 milligrams  
per dosage unit, with an equal or greater  
quantity of an isoquinoline alkaloid of  
opium ----- 9803\*
    - (ii) Not more than 1.8 grams of codeine per 100  
milliliters or not more than 90 milligrams  
per dosage unit, with one or more active,

- nonnarcotic ingredients in recognized  
therapeutic amounts ----- 9804\*
- (iii) Not more than 1.8 grams of dihydrocodeine per  
100 milliliters or not more than 90 milligrams  
per dosage unit, with one or more active  
nonnarcotic ingredients in recognized  
therapeutic amounts ----- 9807\*
- (iv) Not more than 300 milligrams of ethylmorphine  
per 100 milliliters or not more than 15  
milligrams per dosage unit, with one or more  
active, nonnarcotic ingredients in recognized  
therapeutic amounts ----- 9808\*
- (v) Not more than 500 milligrams of opium per 100  
milliliters or per 100 grams or not more than  
25 milligrams per dosage unit, with one or more  
active nonnarcotic ingredients in recognized  
therapeutic amounts ----- 9809\*
- (vi) Not more than 50 milligrams of morphine per 100  
milliliters or per 100 grams, with one or more  
active, nonnarcotic ingredients in recognized  
therapeutic amounts ----- 9810\*
- (2) Any material, compound, mixture, or preparation  
containing any of the following narcotic drugs or  
their salts, as set forth below:
- (i) Buprenorphine ----- 9064-(6-85)  
(10-02 Transfer)
- (ii) Reserved

(f) **Anabolic Steroids:** Unless specifically excepted or unless listed in  
another schedule, any material, compound, mixture, or preparation containing any  
quantity of the following substances, including its salts, isomers, and salts of  
isomers whenever the existence of such salts of isomers is possible within the  
specific chemical designation: Items 1-28 ----- 4000-(9-91)

- (1) Boldenone;
- (2) Boldione; (01-10)
- (3) Chlorotestosterone (4-chlortestosterone);
- (4) Clostebol;
- (5) Dehydrochlormethyltestosterone;
- (6) Desoxymethyltestosterone (01-10)
- (7) Dihydrotestosterone (4-dihydrotestosterone);
- (8) Drostanolone;
- (9) Ethylestrenol;
- (10) Fluoxymesterone;
- (11) Formebolone (formebolone);
- (12) Mesterolone;
- (13) Methandienone;
- (14) Methandranone;
- (15) Methandriol;
- (16) Methandrostenolone;
- (17) Methenolone;
- (18) Methyltestosterone;
- (19) Mibolerone;
- (20) Nandrolone;
- (21) 19-Nor-4,9(10)-Androstadienedione (01-10)
- (22) Norethandrolone;
- (23) Oxandrolone;
- (24) Oxymesterone;
- (25) Oxymetholone;

- (26) Stanolone;
- (27) Stanozolol;
- (28) Testolactone;
- (29) Testosterone;
- (30) Trenbolone
- (31) Prostanazol----- (8-12)
- (32) Methasterone----- (8-12);

and

- (31) Any salt, ester, or isomer of a drug or substance described or list in this paragraph, if that salt, ester, or isomer promotes muscle growth.
- (1) Exempt anabolic steroid products: Compounds, mixtures, or preparations that contain an anabolic steroid that have been exempted by the Director:

|                                                                                         | NDC Number    |
|-----------------------------------------------------------------------------------------|---------------|
| (1) Andro-Estro 90-4-----                                                               | 0536-1605     |
| (2) Androgyn L.A.-----                                                                  | 0456-1005     |
| (3) Component E-H in Process Pellets-----                                               | Ivy Labs Inc. |
| (4) Component E-H in Process Granulation-----                                           | Ivy Labs Inc. |
| (5) Component TE-S in process Granulation-----                                          | Ivy Labs Inc. |
| (6) Component TE-S in process Pellets-----                                              | Ivy Labs Inc. |
| (7) depANDROGYN-----                                                                    | 0456-1020     |
| (8) Depo-Testadiol-----                                                                 | 0009-0253     |
| (9) DEPO-T.E.-----                                                                      | 52765-257     |
| (10) depTESTROGEN-----                                                                  | 51698-257     |
| (11) Duomone-----                                                                       | 52047-360     |
| (12) DUO-SPAN II-----                                                                   | 0684-0102     |
| (13) DURATESTRIN-----                                                                   | 43797-016     |
| (14) Essian-----                                                                        | Pharmaceutics |
| (15) Essian H.S.-----                                                                   | Pharmaceutics |
| (16) Esterified Estrogens & Methyltestosterone, USP<br>(0.625 mg/1.25mg)-----           | Interpharm    |
| (17) Esterified Estrogens & Methyltestosterone, USP<br>(1.25mg/2.5mg)-----              | Interpharm    |
| (18) Esterified Estrogens & Methyltestosterone<br>(0.625mg/1.25mg) Tablet-----          | ANDAPharm     |
| (19) Esterified Estrogens & Methyltestosterone<br>(1.25mg/2.5mg) Tablet-----            | ANDAPharm     |
| (20) Estratest-----                                                                     | 0032-1026     |
| (21) Estratest HS-----                                                                  | 0032-1023     |
| (22) Menogen-----                                                                       | 59243-570     |
| (23) Menogen HS-----                                                                    | 59243-560     |
| (24) Methyltestosterone & Esterified Estrogens<br>(2.5mg/1.25Mg)-----                   | Lannett Co    |
| (25) Methyltestosterone & Esterified Estrogens (Half<br>Strength) (1.25mg/0.625mg)----- | Lannett Co    |
| (26) PAN ESTRA TEST-----                                                                | 0525-0175     |
| (27) Premarin with Methyltestosterone-----                                              | 0046-0879     |
| (28) Premarin with Methyltestosterone-----                                              | 0046-0878     |
| (29) Syntest D.S.-----                                                                  | 66576-231     |
| (30) Stntest H.S.-----                                                                  | 66576-230     |
| (31) Synovex H in process bulk pellets-----                                             | Syntex Animal |
| (32) Synovex H in process granulation-----                                              | Syntex Animal |
| (33) Synovex Plus in process granulation-----                                           | Fort Dodge    |
| (34) Synovex Plus in process bulk pellets-----                                          | Fort Dodge    |
| (35) TEST-ESTRO Cypionates-----                                                         | 0536-9470     |
| (36) Testoderm with Adhesive 4mg/d-----                                                 | Alza Corp.    |
| (37) Testoderm 4mg/d-----                                                               | 17314-4608    |

|      |                                                                                                                                                                                                       |               |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| (38) | Testoderm 6mg/d-----                                                                                                                                                                                  | 17314-4609    |
| (39) | Testoderm with Adhesive 6mg/d-----                                                                                                                                                                    | 17314-2836    |
| (40) | Testoderm in process film-----                                                                                                                                                                        | Alza Corp.    |
| (41) | Testoderm with Adhesive in process film-----                                                                                                                                                          | Alza Corp.    |
| (42) | Testosterone Cypionate/Estradiol Cypionate<br>injection-----                                                                                                                                          | 54274-530     |
| (43) | Testosterone Cypionate/Estradiol Cypionate<br>injection-----                                                                                                                                          | 0182-3069     |
| (44) | Testosterone Cyp 50 Estradiol Cyp 2-----                                                                                                                                                              | 0814-7737     |
| (45) | Testosterone Cypionate/Estradiol Cypionate<br>injection-----                                                                                                                                          | 0364-6611     |
| (46) | Testosterone Cypionate/Estradiol Cypionate<br>injection-----                                                                                                                                          | 0402-0257     |
| (47) | Testosterone Enanthate/Estradiol Valerate<br>injection-----                                                                                                                                           | 0182-3073     |
| (48) | Testosterone Enanthate/Estradiol Valerate<br>injection-----                                                                                                                                           | 0364-6618     |
| (49) | Testosterone Enanthate/Estradiol Valerate<br>injection-----                                                                                                                                           | 0402-0360     |
| (50) | Testosterone Ophthalmic Solution-----                                                                                                                                                                 | Allergan      |
| (51) | Tilapia Sex Reversal Feed (investigational)-----                                                                                                                                                      | Ranger, Inc.  |
| (2)  | Veterinary Anabolic Steroid Implant Products:<br>Anabolic steroid products expressly intended for<br>administration through implants in cattle or other<br>nonhuman species exempted by the Director. |               |
|      |                                                                                                                                                                                                       | NDC/DIN       |
| (1)  | Component E-H -----                                                                                                                                                                                   | 021641-002    |
| (2)  | Component E-H -----                                                                                                                                                                                   | 01968327      |
| (3)  | Component TE-S -----                                                                                                                                                                                  | 021641-004    |
| (4)  | Component T-H -----                                                                                                                                                                                   | 0211641-006   |
| (5)  | Component T-S -----                                                                                                                                                                                   | 0211641-005   |
| (6)  | F-TO -----                                                                                                                                                                                            | 00093351      |
| (7)  | Finaplix-H -----                                                                                                                                                                                      | 12799-807-10  |
| (8)  | Finaplix-S -----                                                                                                                                                                                      | 12799-807-07  |
| (9)  | Heifer-old -----                                                                                                                                                                                      | Boehringer    |
| (10) | Heifer-old -----                                                                                                                                                                                      | Ingelheim     |
| (11) | Heifer-old -----                                                                                                                                                                                      | Ivy Lab.      |
| (12) | Implus-H -----                                                                                                                                                                                        | 0009-0434-01  |
| (13) | Implus-H -----                                                                                                                                                                                        | 06-0434-01    |
|      |                                                                                                                                                                                                       | 01968327      |
| (14) | Masculinizing Feed for Fish (Invesitigational) -                                                                                                                                                      | Rangen, Inc.  |
| (15) | Revalor-G -----                                                                                                                                                                                       | 12799-811     |
| (16) | Revalor-H -----                                                                                                                                                                                       | 12799-810     |
| (17) | Revalor-S -----                                                                                                                                                                                       | 12799-809     |
| (18) | Synovex H -----                                                                                                                                                                                       | 0856-3901     |
| (19) | Synovex H -----                                                                                                                                                                                       | Syntex        |
| (20) | Synovex Plus -----                                                                                                                                                                                    | 0856-3904     |
|      | Tilapia Sex Reversal Feed (investigational) -----                                                                                                                                                     | Zeigier Bros. |

If veterinary products that are granted exempted status are subsequently distributed with the intent that they be used in humans, the distribution would be subject to the criminal sanctions of the CSA despite the drugs' exempted status.

(g) **Hallucinogenic substances:**

- |     |                                                                                                                                                             |               |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| (1) | Dronabinol (synthetic) in sesame oil and<br>encapsulated in a soft gelatin capsule in a<br>U.S. Food and Drug Administration approved<br>drug product ----- | 7369- (11-87) |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|



[Some other names for dronabinol:  
 (6a R-trans)-6a,7,8, 10a-tetrahydro-6, 6,  
 9-trimethyl-3-pentyl-6H-dibenzo [b,d]  
 pyran-1-ol, or (-)-delta 9-(trans)-  
 tetrahydrocannabinol]

#### **Schedule IV**

(a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **Narcotic drugs:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin  
 and not less than 25 micrograms of atropine  
 sulfate per dosage unit.----- 9167\*
- (2) Dextro propoxyphene (alpha-(+)-4-dimethylamino-  
 1,2-diphenyl-3-methyl-2-propionoxybutane) ----- 9278-(11-87)

(c) **Depressants:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, 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) Alprazolam ----- 2882-(6-82)
- (2) Barbitol ----- 2145\*
- (3) Bromazepam ----- 2748-(1-85)
- (4) Camazepam ----- 2749-(1-85)
- (5) Chloral betaine ----- 2460\*
- (6) Chloral hydrate ----- 2465\*
- (7) Chlordiazepoxide ----- 2744\*
- (8) Clobazam ----- 2751-(1-85)
- (9) Clonazepam ----- 2737\*
- (10) Clorazepate ----- 2768\*
- (11) Clotiazepam ----- 2752-(1-85)
- (12) Cloxazolam ----- 2753-(1-85)
- (13) Delorazepam ----- 2754-(1-85)
- (14) Diazepam ----- 2765\*
- (15) Dichloralphenazone ----- 2467-(10-02)
- (16) Estazolam ----- 2756-(1-85)
- (17) Ethchlorvynol ----- 2540\*
- (18) Ethinamate ----- 2545\*
- (19) Ethyl loflazepate ----- 2758-(1-85)
- (20) Fludiazepam ----- 2759-(1-85)
- (21) Flunitrazepam ----- 2763-(1-85)
- (22) Flurazepam ----- 2767\*
- (23) Fospropofol----- 2138-(11-09)
- (24) Halazepam ----- 2762-(6-82)
- (25) Haloxazolam ----- 2771-(1-85)
- (26) Ketazolam ----- 2772-(1-85)
- (27) Loprazolam ----- 2773-(1-85)
- (28) Lorazepam ----- 2885\*
- (29) Lormetazepam ----- 2774-(1-85)
- (30) Mebutamate ----- 2800\*
- (31) Medazepam ----- 2836-(1-85)

|      |                                           |              |
|------|-------------------------------------------|--------------|
| (32) | Meprobamate -----                         | 2820*        |
| (33) | Methohexital -----                        | 2264*        |
| (34) | Methylphenobarbital (mephobarbital) ----- | 2250*        |
| (35) | Midazolam -----                           | 2884-(1-85)  |
| (36) | Nimetazepam -----                         | 2837-(1-85)  |
| (37) | Nitrazepam -----                          | 2834-(1-85)  |
| (38) | Nordiazepam -----                         | 2838-(1-85)  |
| (39) | Oxazepam -----                            | 2835*        |
| (40) | Oxazolam -----                            | 2839*        |
| (41) | Paraldehyde -----                         | 2585*        |
| (42) | Petrichloral -----                        | 2591*        |
| (43) | Phenobarbital -----                       | 2285*        |
| (44) | Pinazepam -----                           | 2883-(1-85)  |
| (45) | Prazepam -----                            | 2764*        |
| (46) | Quazepam -----                            | 2881-(11-86) |
| (47) | Temazepam -----                           | 2925-(9-81)  |
| (48) | Tetrazepam -----                          | 2886-(1-85)  |
| (49) | Triazolam -----                           | 2887-(7-83)  |
| (50) | Zaleplon -----                            | 2781-(9-99)  |
| (51) | Zolpidem -----                            | 2783-(12-93) |
| (52) | Zopiclone-----                            | 2784-(01-06) |
| (53) | Alfaxalone-----                           | 2731-(02-14) |
| (54) | Carisoprodol -----                        | 8192-(4-97)  |
| (55) | Tramadol -----                            | 9752-(8-07)  |

(d) **Fenfluramine**: Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1) Fenfluramine ----- 1670\*

(e) **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 (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

|      |                                                                             |             |
|------|-----------------------------------------------------------------------------|-------------|
| (1)  | Cathine ((+)-Norpseudeophedrine)-----                                       | 1230-(3-88) |
| (2)  | Diethylpropion -----                                                        | 1610*       |
| (3)  | Fencamfamin -----                                                           | 1760-(3-88) |
| (4)  | Fenproporex -----                                                           | 1575-(3-88) |
| (5)  | Mazindol -----                                                              | 1605-(6-82) |
| (5)  | Mefenorex -----                                                             | 1580-(3-88) |
| (6)  | Modafinil-----                                                              | 1680-(1-99) |
| (7)  | Pemoline (including organometallic complexes<br>and chelates thereof) ----- | 1530*       |
| (9)  | Phentermine -----                                                           | 1640*       |
| (10) | Pipradrol -----                                                             | 1750-(9-81) |
| (11) | Sibutramine -----                                                           | 1675-(2-98) |
| (12) | SPA ((-)-1-dimethylamino-1,2,diphenylethane) -----                          | 1635-(9-81) |
| (13) | Lorcaserin -----                                                            | 1625-(6-13) |

(f) **Other substances**: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts; isomers whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1) Pentazocine ----- 9709-(4-79)

- (2) Butorphanol ----- 9720-(4-97)  
 (3) Nalbuphine ----- (4-97)

### **Schedule V**

(a) Schedule V shall consist of the drugs and other substances by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) **Narcotic Drugs**: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs and their salts, as set forth below.

*Reserved*

(c) **Narcotic drugs containing nonnarcotic active medicinal ingredients.** Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- \* (1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.
- \* (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.
- \* (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.
- \* (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
- \* (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- \* (6) Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(d) **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 stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

- (1) Pyrovalerone ----- 1485-(3-88)
- (2) Ephedrine: a -{-(Methylamino)ethyl}benzene-methanol; (10-95)  
 a-{-(methylamino) ethyl}benzyl alcohol;  
 2-methylamino-1-phenyl-1-propanol;  
 1-phenyl-1-hydroxy-2-methylaminopropane;  
 1-phenyl-2-methylaminopropanol;  
 a - hydroxy-b-methylaminopropylbenzene;  
 a product which occurs in the Chinese herb  
 Ma Huang (Ephedra vulgaris, Ephedra sinica Stapf.,  
 Ephedra equisetina Bunge, Gnetaceae) in several  
 other Ephedra spp.
- (3) Phenylpropanolamine ----- (7-05)
- (4) Pseudoephedrine ----- (7-05)

Pursuant to Ark. Code Ann. § 5-64-212 as amended in 2005, this Schedule V classification shall NOT apply to any ephedrine, phenylpropanolamine, or pseudoephedrine in liquid, liquid capsule, or liquid gel capsule form. However, sales limits mandated by statute shall apply to all products with ephedrine, phenylpropanolamine, or pseudoephedrine as a listed ingredient regardless of the dosage form.

(e) **Depressants:** Unless specifically exempted or excluded 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:

- (1) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid)----- 2782-(01-06)
- (1) [Reserved]
- (2) Lacosamide ----- 2746-(05-09)

### **Schedule VI\*\***

(a) In addition to any substance placed in Schedule VI by the Director of the Department of Health under § 5-64-214, any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of their salts, isomers, and salts of isomers when the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation, is included in Schedule VI:

- (1) Marijuana
- (2) Tetrahydrocannabinols
- (3) A synthetic equivalent of:
  - (A) The substance contained in the Cannabis plant; or
  - (B) The substance contained in the resinous extractives of the genus Cannabis;
- (4) Salvia divinorum or Salvinorin A, which includes all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds of the plant, any extract from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or its extracts, including salts, isomers, and salts of isomers when the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation;
- (5) Synthetic substances, derivatives, or their isomers in the chemical structural classes described below in subdivisions (a) (5) (A)-(J) of this section and also specific unclassified substances in subdivision (a) (5) (K) of this section. Compounds of the structures described in this subdivision (a) (5), regardless of numerical designation of atomic positions, are included in this subdivision (a) (5). The synthetic substances, derivatives, or their isomers included in this subdivision (a) (5) are:
  - (A) (i) Tetrahydrocannabinols, including without limitation the following:
    - (a) Delta-1 cis or trans tetrahydrocannabinol, and its optical isomers;
    - (b) Delta-6 cis or trans tetrahydrocannabinol, and its optical isomers; and
    - (c) Delta-3.4 cis or trans tetrahydrocannabinol, and its optical isomers.
  - (ii) Dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration is not a tetrahydrocannabinol under this subdivision (a) (5) (A);
  - (B) Naphthoylindoles, or any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,

whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation the following

- (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
  - (ii) JWH-015, or 1-Propyl-2-methyl-3-(1-naphthoyl)indole;
  - (iii) JWH-018, or 1-Propyl-3-(1-naphthoyl)indole;
  - (iv) JWH-019, or 1-Hexyl-3-(1-naphthoyl)indole;
  - (v) JWH-073, or 1-Butyl-3-(1-naphthoyl)indole;
  - (vi) JWH-081, or 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole;
  - (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
  - (viii) JWH-122, or 1-Pentyl-3-(4-methyl-1-naphthoyl)indole;
  - (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
  - (x) JWH-200, or 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole;
  - (xi) JWH-210, or 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole;
  - (xii) JWH-398, or 1-Pentyl-3-(4-chloro-1-naphthoyl)indole;
  - (xiii) AM-2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;
  - (xiv) MAM2201, or (1-(5-fluoropentyl)-1H-indol-3-yl)(4-methyl-1-naphthalenyl)-methanone; and
  - (xv) EAM2201, or (1-(5-fluoropentyl)-1H-indol-3-yl)(4-ethyl-1-naphthalenyl)-methanone;
- (C) Naphthylmethylindoles, or any compound structurally derived from an H-indol-3-yl-(1-naphthyl) methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation the following:
- (i) JWH-175, or 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane; and
  - (ii) JWH-184, or 1-Pentyl-1H-3-yl-(4-methyl-1-naphthyl)methane;
- (D) Naphthoylpyrroles, or any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation JWH-307, or (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone;
- (E) Naphthylmethylindenes, or any compound structurally derived from 1-(1-naphthylmethyl)indene with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation JWH-176, or E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane;
- (F) Phenylacetylindoles, or any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and

whether or not substituted in the phenyl ring to any extent, including without limitation the following:

- (i) JWH-201, or 2-(4-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone;
  - (ii) JWH-203, or 1-Pentyl-3-(2-chlorophenylacetyl)indole;
  - (iii) JWH-250, or 1-Pentyl-3-(2-methoxyphenylacetyl)indole;
  - (iv) JWH-251, or 1-Pentyl-3-(2-methylphenylacetyl)indole; and
  - (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- (G) Cyclohexylphenols, or any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent, including without limitation the following:
- (i) CP 47,497 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol;
  - (ii) Cannabicyclohexanol or CP 47,497 C8 homologue, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; and
  - (iii) CP 55,940, or 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol;
- (H) Benzoylindoles, or any compound structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including without limitation the following:
- (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
  - (ii) RCS-4, or 1-Pentyl-3-(4-methoxybenzoyl)indole;
  - (iii) WIN-48,098 or Pravadoline, or (4-Methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone;
  - (iv) AM-2233, or 1-[(N-methylpiperidin-2-yl)methyl]-3-(2-iodobenzoyl)indole; and
  - (v) RCS-4 (C4 homologue) or (4-methoxyphenyl)(1-butyl-1H-indol-3-yl)-methanone;
- (I) Adamantoylindoles, or Adamantoylindazoles, including Adamantyl Carboxamide Indoles and Adamantyl Carboxamide Indazoles, or any compound structurally derived from 3-(1-adamantoyl)indole, 3-(1-adamantoyl)indazole, or 3-(2-adamantoyl)indole by substitution at a nitrogen atom of the indole or indazole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole or indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent, including without limitation the following:
- (i) AM-1248, or 1-adamantyl-[1-[(1-methylpiperidin-2-yl)methyl]indol-3-yl]methanone;
  - (ii) AB-001, or 1-adamantyl-(1-pentylindol-3-yl)methanone;
  - (iii) 2NE1, or 1-pentyl-3-(1-adamantylamido)indole;
  - (iv) JWH-018 adamantyl carboxamide, or 1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indole-3-carboxamide;
  - (v) AKB-48, or N-(1-adamantyl)-pentyl-1H-indazole-3-carboxamide; ~~and~~

- (vi) 5F-AKB-48, or N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide;
  - (vii) STS-135, or N-(1-adamantyl)-1-(5-fluoropentyl)indole-3-carboxamide; and
  - (viii) MAB-CHMINCA, or N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide
- (J) Tetramethylcyclopropylcarbonylindoles or any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl) indole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent, including without limitation the following:
- (i) UR-144, or (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone;
  - (ii) XLR-11, or [1-(5-fluoropentyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone;
  - (iii) A-796,260, or [1-(2-morpholin-4-yl-ethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone;
  - (iv) 5-Chloro-UR-144, or [1-(5-chloropentyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone;
  - (v) 5-Bromo-UR-144, or [1-(5-bromopentyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone; and
  - (vi) A-834,735, or 1-(tetrahydropyran-4-ylmethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone; or
- (K) Unclassified Synthetic Cannabinoids, including without limitation the following:
- (i) CP 50556-1 hydrochloride, or [(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;
  - (ii) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
  - (iii) HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
  - (iv) Dimethylheptylpyran or DMHP;
  - (v) WIN55,212-2, or 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl-1-naphthalenylmethanone;
  - (vi) URB597, or [3-(3-carbamoylphenyl)phenyl] N-cyclohexylcarbamate;
  - (vii) URB754, or 6-methyl-2-[(4-methylphenyl)amino]-1-benzoxazin-4-one;
  - (viii) AKB-48, or N-(1-adamantyl)-1-pentylindazole-3-carboxamide;
  - (ix) CB-13, or 1-naphthalenyl[4-(pentyloxy)-1-naphthalenyl]-methanone;
  - (x) URB602, or cyclohexyl N-(3-phenylphenyl)carbamate;
  - (xi) PB-22, or quinolin-8-yl 1-(5-pentyl)-1H-indole-3-carboxylate;
  - (xii) 5F-PB-22, or quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate;
  - (xiii) BB-22, or quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate;
  - (xiv) NNEI (MN-24), or N-1-naphthalenyl-1-pentyl-1H-indole-3-carboxamide; and

- (xv) 5F-NNEI, or 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-carboxamide; or
- (6) A synthetic substance, derivative, or its isomers with:
  - (A) Similar chemical structure to any substance described in subdivisions (a)(1)-(5) of this section; or
  - (B) Similar pharmacological effects to any substance described in subdivisions (a)(1)-(5) of this section.

(b) However, director shall not delete a controlled substance listed in this section from Schedule VI.

\*-Scheduled before April, 1979.

\*\* -Schedule VI is revised to conform to Act 329 of 2013.



## FINANCIAL IMPACT STATEMENT

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

**DEPARTMENT** Arkansas Department of Health  
**DIVISION** Center for Health Protection  
**PERSON COMPLETING THIS STATEMENT** Elizabeth Pitman  
**TELEPHONE NO.** (501) 280-4034 **FAX NO.** (501) 661-2357 **EMAIL:** sarah.pitman@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE** Rules and Regulations Pertaining to the List of Controlled Substances for the State of Arkansas

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

\_\_\_\_\_

- (b) The reason for adoption of the more costly rule;

\_\_\_\_\_

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

\_\_\_\_\_

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

\_\_\_\_\_

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

|                  |          |
|------------------|----------|
| General Revenue  | <u>0</u> |
| Federal Funds    | <u>0</u> |
| Cash Funds       | <u>0</u> |
| Special Revenue  | <u>0</u> |
| Other (Identify) | <u>0</u> |

**Next Fiscal Year**

|                  |          |
|------------------|----------|
| General Revenue  | <u>0</u> |
| Federal Funds    | <u>0</u> |
| Cash Funds       | <u>0</u> |
| Special Revenue  | <u>0</u> |
| Other (Identify) | <u>0</u> |

Total 0

Total 0

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

|                  |          |
|------------------|----------|
| General Revenue  | <u>0</u> |
| Federal Funds    | <u>0</u> |
| Cash Funds       | <u>0</u> |
| Special Revenue  | <u>0</u> |
| Other (Identify) | <u>0</u> |
| Total            | <u>0</u> |

**Next Fiscal Year**

|                  |          |
|------------------|----------|
| General Revenue  | <u>0</u> |
| Federal Funds    | <u>0</u> |
| Cash Funds       | <u>0</u> |
| Special Revenue  | <u>0</u> |
| Other (Identify) | <u>0</u> |
| Total            | <u>0</u> |

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

\$ 0

**Next Fiscal Year**

\$ 0

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ 0

**Next Fiscal Year**

\$ 0

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.