

2 SSB 6191 - H COMM AMD
3 By Committee on Health Care

4
5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 69.50.201 and 1989 1st ex.s. c 9 s 430 are each
8 amended to read as follows:

9 AUTHORITY TO CONTROL. (a) The state board of pharmacy shall
10 enforce this chapter and may add substances to or delete or reschedule
11 ~~((all))~~ substances ~~((enumerated in the schedules))~~ listed in RCW
12 69.50.204, 69.50.206, 69.50.208, 69.50.210, or 69.50.212 pursuant to
13 the ~~((rule-making))~~ procedures of chapter 34.05 RCW.

14 (1) In making a determination regarding a substance, the board
15 shall consider the following:

- 16 ~~((1))~~ (i) the actual or relative potential for abuse;
- 17 ~~((2))~~ (ii) the scientific evidence of its pharmacological effect,
18 if known;
- 19 ~~((3))~~ (iii) the state of current scientific knowledge regarding
20 the substance;
- 21 ~~((4))~~ (iv) the history and current pattern of abuse;
- 22 ~~((5))~~ (v) the scope, duration, and significance of abuse;
- 23 ~~((6))~~ (vi) the risk to the public health;
- 24 ~~((7))~~ (vii) the potential of the substance to produce psychic or
25 physiological dependence liability; and
- 26 ~~((8))~~ (viii) whether the substance is an immediate precursor of
27 a ~~((substance already))~~ controlled ~~((under this Article))~~ substance.

1 ~~((b) After considering the factors enumerated in subsection (a)~~
2 ~~the board may issue a rule controlling the substance if it finds the~~
3 ~~substance has a potential for abuse.~~

4 ~~(c) If the board designates a substance as an immediate precursor,~~
5 ~~substances which are precursors of the controlled precursor shall not~~
6 ~~be subject to control solely because they are precursors of the~~
7 ~~controlled precursor.~~

8 ~~(d) If any substance is designated, rescheduled, or deleted as a~~
9 ~~controlled substance under federal law and notice thereof is given to~~
10 ~~the board, the substance shall be similarly controlled under this~~
11 ~~chapter after the expiration of thirty days from publication in the~~
12 ~~Federal Register of a final order designating a substance as a~~
13 ~~controlled substance or rescheduling or deleting a substance, unless~~
14 ~~within that thirty day period, the board objects to inclusion,~~
15 ~~rescheduling, or deletion. In that case, the board shall proceed~~
16 ~~pursuant to the rule-making procedures of chapter 34.05 RCW.~~

17 ~~(e) Authority to control under this section does not extend to~~
18 ~~distilled spirits, wine, malt beverages, or tobacco as those terms are~~
19 ~~defined or used in Title 66 RCW and Title 26 RCW.~~

20 ~~(f) The board shall exclude any nonnarcotic substances from a~~
21 ~~schedule if such substances may, under the Federal Food, Drug and~~
22 ~~Cosmetic Act, and under regulations of the drug enforcement~~
23 ~~administration, and the laws of this state including RCW 18.64.250, be~~
24 ~~lawfully sold over the counter.))~~

25 (2) The board may consider findings of the federal Food and Drug
26 Administration or the Drug Enforcement Administration as prima facie
27 evidence relating to one or more of the determinative factors.

28 ~~((g))~~ (b) On or before December 1 of each year, the board shall
29 inform the committees of reference of the legislature of the controlled

1 substances added, deleted, or changed on the schedules specified in
2 this chapter and which includes an explanation of these actions.

3 (c) After considering the factors enumerated in subsection (a) of
4 this section, the board shall make findings with respect thereto and
5 adopt and cause to be published a rule controlling the substance upon
6 finding the substance has a potential for abuse.

7 (d) The board, without regard to the findings required by
8 subsection (a) of this section or RCW 69.50.203, 69.50.205, 69.50.207,
9 69.50.209, and 69.50.211 or the procedures prescribed by subsections
10 (a) and (c) of this section, may place an immediate precursor in the
11 same schedule in which the controlled substance of which it is an
12 immediate precursor is placed or in any other schedule. If the board
13 designates a substance as an immediate precursor, substances that are
14 precursors of the controlled precursor are not subject to control
15 solely because they are precursors of the controlled precursor.

16 (e) If a substance is designated, rescheduled, or deleted as a
17 controlled substance under federal law, the board shall similarly
18 control the substance under this chapter after the expiration of thirty
19 days from the date of publication in the federal register of a final
20 order designating the substance as a controlled substance or
21 rescheduling or deleting the substance or from the date of issuance of
22 an order of temporary scheduling under Section 508 of the federal
23 Dangerous Drug Diversion Control Act of 1984, 21 U.S.C. Sec. 811(h),
24 unless within that thirty-day period, the board or an interested party
25 objects to inclusion, rescheduling, temporary scheduling, or deletion.
26 If no objection is made, the board shall adopt and cause to be
27 published, without the necessity of making determinations or findings
28 as required by subsection (a) of this section or RCW 69.50.203,
29 69.50.205, 69.50.207, 69.50.209, and 69.50.211, a final rule, for which
30 notice of proposed rulemaking is omitted, designating, rescheduling,

1 temporarily scheduling, or deleting the substance. If an objection is
2 made, the board shall make a determination with respect to the
3 designation, rescheduling, or deletion of the substance as provided by
4 subsection (a) of this section. Upon receipt of an objection to
5 inclusion, rescheduling, or deletion under this chapter by the board,
6 the board shall publish notice of the receipt of the objection, and
7 control under this chapter is stayed until the board adopts a rule as
8 provided by subsection (a) of this section.

9 (f) The board, by rule and without regard to the requirements of
10 subsection (a) of this section, may schedule a substance in Schedule I
11 regardless of whether the substance is substantially similar to a
12 controlled substance in Schedule I or II if the board finds that
13 scheduling of the substance on an emergency basis is necessary to avoid
14 an imminent hazard to the public safety and the substance is not
15 included in any other schedule or no exemption or approval is in effect
16 for the substance under Section 505 of the federal Food, Drug, and
17 Cosmetic Act, 21 U.S.C. Sec. 355. Upon receipt of notice under RCW
18 69.50.--- (section 13 of this act), the board shall initiate scheduling
19 of the controlled substance analog on an emergency basis pursuant to
20 this subsection. The scheduling of a substance under this subsection
21 expires one year after the adoption of the scheduling rule. With
22 respect to the finding of an imminent hazard to the public safety, the
23 board shall consider whether the substance has been scheduled on a
24 temporary basis under federal law or factors set forth in subsection
25 (a)(1) (iv), (v), and (vi) of this section, and may also consider
26 clandestine importation, manufacture, or distribution, and, if
27 available, information concerning the other factors set forth in
28 subsection (a)(1) of this section. A rule may not be adopted under
29 this subsection until the board initiates a rule-making proceeding
30 under subsection (a) of this section with respect to the substance. A

1 rule adopted under this subsection must be vacated upon the conclusion
2 of the rule-making proceeding initiated under subsection (a) of this
3 section with respect to the substance.

4 (g) Authority to control under this section does not extend to
5 distilled spirits, wine, malt beverages, or tobacco as those terms are
6 defined or used in Titles 66 and 26 RCW."

7 "Sec. 2. RCW 69.50.203 and 1971 ex.s. c 308 s 69.50.203 are each
8 amended to read as follows:

9 SCHEDULE I TESTS. (a) The state board of pharmacy shall place
10 a substance in Schedule I (~~((if it finds))~~) upon finding that the
11 substance:

12 (1) has high potential for abuse; (~~and~~)

13 (2) has no currently accepted medical use in treatment in the
14 United States (~~(or)~~); and

15 (3) lacks accepted safety for use in treatment under medical
16 supervision.

17 (b) The board may place a substance in Schedule I without making
18 the findings required by subsection (a) of this section if the
19 substance is controlled under Schedule I of the federal Controlled
20 Substances Act by a federal agency as the result of an international
21 treaty, convention, or protocol."

22 "Sec. 3. RCW 69.50.204 and 1986 c 124 s 3 are each amended to read
23 as follows:

24 SCHEDULE I. (~~((a) The controlled substances listed in this~~
25 ~~section, by whatever official name, common or usual name, chemical~~
26 ~~name, or brand name, are included in Schedule I.~~

27 (b) ~~Opiates. Unless specifically excepted or unless listed in~~
28 ~~another schedule, any)) Unless specifically excepted by state or~~

1 federal law or regulation or more specifically included in another
2 schedule, the following controlled substances are listed in Schedule I:

3 (a) Any of the following opiates, including their isomers, esters,
4 ethers, salts, and salts of isomers, esters, and ethers((7)) whenever
5 the existence of these isomers, esters, ethers, and salts is possible
6 within the specific chemical designation:

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

9 (2) Acetylmethadol;

10 (~~(2)~~) ~~Alfentanil;~~

11 (3) Allylprodine;

12 (4) Alphacetylmethadol;

13 (5) Alphameprodine;

14 (6) Alphamethadol;

15 (7) Alpha-methylfentanyl (N-[1-alpha-methyl-beta-phenyl) ethyl-4-
16 piperidyl] (~~(propionanilide)~~) propionanilide; 1-(1-methyl-2-
17 phenylethyl)-4-(N-propanilido) piperidine);

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

20 (9) Benzethidine;

21 (~~(9)~~) (10) Betacetylmethadol;

22 (~~(10)~~) (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-
23 piperidinyl]-N-phenylpropanamide);

24 (12) Beta-hydroxy-3-methylfentanyl some trade or other names: N-
25 [1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

26 (13) Betameprodine;

27 (~~(11)~~) (14) Betamethadol;

28 (~~(12)~~) (15) Betaprodine;

29 (~~(13)~~) (16) Clonitazene;

30 (~~(14)~~) (17) Dextromoramide;

1 (~~(15)~~) (18) Diampromide;
2 (~~(16)~~) (19) Diethylthiambutene;
3 (~~(17)~~) (20) Difenoxin;
4 (~~(18)~~) (21) Dimenoxadol;
5 (~~(19)~~) (22) Dimepheptanol;
6 (~~(20)~~) (23) Dimethylthiambutene;
7 (~~(21)~~) (24) Dioxaphetyl butyrate;
8 (~~(22)~~) (25) Dipipanone;
9 (~~(23)~~) (26) Ethylmethylthiambutene;
10 (~~(24)~~) (27) Etonitazene;
11 (~~(25)~~) (28) Etoxeridine;
12 (~~(26)~~) (29) Furethidine;
13 (~~(27)~~) (30) Hydroxypethidine;
14 (~~(28)~~) (31) Ketobemidone;
15 (~~(29)~~) (32) Levomoramide;
16 (~~(30)~~) (33) Levophenacymorphan;
17 (~~(31)~~) (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
18 piperidyl]-N-phenylpropanamide);
19 (35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-
20 piperidinyl]-N-phenylpropanamide);
21 (36) Morpheridine;
22 (~~(32)~~) (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
23 (38) Noracymethadol;
24 (~~(33)~~) (39) Norlevorphanol;
25 (~~(34)~~) (40) Normethadone;
26 (~~(35)~~) (41) Norpipanone;
27 (~~(36)~~) (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
28 phenethyl)-4-piperidinyl] propanamide;
29 (43) PEPAP(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
30 (44) Phenadoxone;

1 (~~(37)~~) (45) Phenampromide;
2 (~~(38)~~) (46) Phenomorphan;
3 (~~(39)~~) (47) Phenoperidine;
4 (~~(40)~~) (48) Piritramide;
5 (~~(41) Propheptazine~~) (49) Proheptazine;
6 (~~(42)~~) (50) Properidine;
7 (~~(43)~~) (51) Propiram;
8 (~~(44)~~) (52) Racemoramide;
9 (~~(45)~~) (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
10 piperidinyl]-propanamide;
11 (54) Tilidine;
12 (~~(46)~~) (55) Trimeperidine.
13 (~~(e)~~) (b) Opium derivatives. Unless specifically excepted or
14 unless listed in another schedule, any of the following opium
15 derivatives, including their salts, isomers, and salts of isomers(~~(7)~~)
16 whenever the existence of (~~these~~) those salts, isomers, and salts of
17 isomers is possible within the specific chemical designation:
18 (1) Acetorphine;
19 (2) Acetyldihydrocodeine;
20 (3) Benzylmorphine;
21 (4) Codeine methylbromide;
22 (5) Codeine-N-Oxide;
23 (6) Cyprenorphine;
24 (7) Desomorphine;
25 (8) 3,4-methylenedioxy-N-ethylamphetamine some trade or other
26 names: N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl
27 MDA, MDE, MDEA;
28 (9) N-hydroxy-3,4-methylenedioxyamphetamine some trade or other
29 names: N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and
30 N-hydroxy MDA;

1 (10) Dihydromorphine;

2 ~~((9))~~ (11) Drotebanol;

3 ~~((10))~~ (12) Etorphine~~((+))~~, except hydrochloride salt~~((+))~~;

4 ~~((11))~~ (13) Heroin;

5 ~~((12))~~ (14) Hydromorphanol;

6 ~~((13))~~ (15) Methyldesorphine;

7 ~~((14))~~ (16) Methyldihydromorphine;

8 ~~((15))~~ (17) Morphine methylbromide;

9 ~~((16))~~ (18) Morphine methylsulfonate;

10 ~~((17))~~ (19) Morphine-N-Oxide;

11 ~~((18))~~ (20) Myrophine;

12 ~~((19))~~ (21) Nicocodeine;

13 ~~((20))~~ (22) Nicomorphine;

14 ~~((21))~~ (23) Normorphine;

15 ~~((22))~~ (24) Pholcodine;

16 ~~((23))~~ (25) Thebacon.

17 ~~((d))~~ (c) Hallucinogenic substances. Unless specifically

18 excepted or unless listed in another schedule, any material, compound,

19 mixture, or preparation which contains any quantity of the following

20 hallucinogenic substances, ~~((or which contains any of its))~~ including

21 their salts, isomers, and salts of isomers~~((r))~~ whenever the existence

22 of ~~((such))~~ those salts, isomers, and salts of isomers is possible

23 within the specific chemical designation ~~((For purposes of paragraph~~

24 ~~(d) of this section, only, the term "isomer" includes the optical,~~

25 ~~position, and geometric isomers.))~~:

26 ~~(1) 3,4-methylenedioxy amphetamine;~~

27 ~~(2) 5-methoxy-3,4-methylenedioxy amphetamine;~~

28 ~~(3) 3,4,5-trimethoxy amphetamine;~~

29 ~~(4) 4-bromo-2,5-dimethoxy amphetamine:—Some trade or other names:~~

30 ~~4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;—4-bromo-2,5-DMA;~~

1 ~~(5) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-~~
2 ~~dimethoxy-alpha-methylphenethylamine; 2,5-DMA;~~

3 ~~(6) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-~~
4 ~~alpha-methylphenethylamine; paramethoxyamphetamine; PMA;~~

5 ~~(7) 4-methyl-2,5-dimethoxyamphetamine: Some trade or other names:~~
6 ~~4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; "STP";~~

7 ~~(8) — Bufotenine: ————— Some — trade — or — other — names:~~
8 ~~3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-~~
9 ~~indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine;~~
10 ~~mappine;~~

11 ~~(9) — Diethyltryptamine: ————— Some — trade — or — other — names:~~
12 ~~N,N-Diethyltryptamine; DET;~~

13 ~~(10) Dimethyltryptamine: Some trade or other names: DMT;~~

14 ~~(11) — Ibogaine: ————— Some — trade — or — other — names: 7-Ethyl-6,6-~~
15 ~~beta,7,8,9,10,12,13, octahydro-2-methoxy-6,9methano-5H-pyndo-(1',2'1,2)-~~
16 ~~azepino-(5,4-b) indole; Tabernanthe iboga;~~

17 ~~(12) Lysergic acid diethylamide;~~

18 ~~(13) Marihuana;~~

19 ~~(14) Mescaline;~~

20 ~~(15) Parahexyl-7374; some trade or other names: 3-Hexyl-1-hydroxy-~~
21 ~~7,—8,—9,—10-tetrahydro-6,—6,—9-trimethyl-6H-dibenzo[b,d]pyran;~~
22 ~~synhexyl;~~

23 ~~(16) Peyote, meaning all parts of the plant presently classified~~
24 ~~botanically as Lophophora Williamsii Lemaire, whether growing or not,~~
25 ~~the seeds thereof, any extract from any part of such plant, and every~~
26 ~~compound, manufacture, salts, derivative, mixture, or preparation of~~
27 ~~such plant, its seeds, or extracts (interprets 21 U.S.C. Sec. 812(c),~~
28 ~~Schedule I(c)(12));~~

29 ~~(17) N-ethyl-3-piperidyl benzilate;~~

30 ~~(18) N-methyl-3-piperidyl benzilate;~~

1 ~~(19) Psilocybin;~~

2 ~~(20) Psilocyn;~~

3 ~~(21) Tetrahydrocannabinols, synthetic equivalents of the substances~~
4 ~~contained in the plant, or in the resinous extractives of Cannabis,~~
5 ~~specifically, and/or synthetic substances, derivatives, and their~~
6 ~~isomers with similar chemical structure and pharmacological activity~~
7 ~~such as the following:~~

8 ~~(i) Delta 1 — cis — or trans tetrahydrocannabinol, and their~~
9 ~~optical isomers;~~

10 ~~(ii) Delta 6 — cis — or trans tetrahydrocannabinol, and their~~
11 ~~optical isomers;~~

12 ~~(iii) Delta 3.4 — cis — or trans tetrahydrocannabinol, and its~~
13 ~~optical isomers;~~

14 ~~(Since nomenclature of these substances is not internationally~~
15 ~~standardized, compounds of these structures, regardless of numerical~~
16 ~~designation of atomic positions covered, are all included.)~~

17 ~~(22) Ethylamine analog of phencyclidine: — Some trade or other~~
18 ~~names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine;~~
19 ~~N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;~~

20 ~~(23) Pyrrolidine analog of phencyclidine: — Some trade or other~~
21 ~~names: — 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;~~

22 ~~(24) Thiophene analog of phencyclidine: — Some trade or other names:~~
23 ~~1-(1-[2-thienyl]-cyclohexyl)-piperidine; — 2-thienyl analog — of~~
24 ~~phencyclidine; TPCP; TCP)).~~

25 ~~((e) Depressants. — Unless specifically excepted or unless listed~~
26 ~~in another schedule, any material compound, mixture, or preparation~~
27 ~~which contains any quantity of mecloqualone having a depressant effect~~
28 ~~on the central nervous system, including its salts, isomers, and salts~~
29 ~~of isomers whenever the existence of such salts, isomers, and salts of~~
30 ~~isomers is possible within the specific chemical designation.~~

1 ~~(1) Mecloqualone;~~
2 ~~(2) Methaqualone.~~
3 ~~(f) Stimulants. Unless specifically excepted or unless listed in~~
4 ~~another schedule, any material, compound, mixture, or preparation which~~
5 ~~contains any quantity of the following substances having a stimulant~~
6 ~~effect on the central nervous system, including its salts, isomers, and~~
7 ~~salts of isomers:~~
8 ~~(1) Fenethyline;~~
9 ~~(2) N-ethylamphetamine;~~
10 ~~(3) 3-methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-~~
11 ~~phenylpropanamide), its optical and geometric isomers, salts and salts~~
12 ~~of isomers;~~
13 ~~(4) 3,4-methylenedioxymethamphetamine (MDMA), its optical,~~
14 ~~positional and geometric isomers, salts and salts of isomers;~~
15 ~~(5) 1-methyl-4-phenyl-4-propionoxy-piperidine (MPPP), its optical~~
16 ~~isomers, salts, and salts of isomers;~~
17 ~~(6) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP), its~~
18 ~~optical isomers, salts and salts of isomers)) (1)~~
19 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other
20 names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;
21 (2) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-
22 dimethoxy-a-methylphenethylamine; 2,5-DMA;
23 (3) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-
24 a-methylphenethylamine; paramethoxyamphetamine, PMA;
25 (4) 5-methoxy-3,4-methylenedioxy-amphetamine;
26 (5) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other
27 names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and
28 "STP";
29 (6) 3,4-methylenedioxy amphetamine;
30 (7) 3,4-methylenedioxymethamphetamine (MDMA);

1 (8) 3,4,5-trimethoxy amphetamine;
2 (9) Bufotenine: Some trade or other names: 3-(beta-
3 Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethylaminoethyl)-5-
4 indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine;
5 mappine;
6 (10) Diethyltryptamine: Some trade or other names: N,N-
7 Diethyltryptamine; DET;
8 (11) Dimethyltryptamine: Some trade or other names: DMT;
9 (12) Ibogaine: Some trade or other names: 7-Ethyl-6,6
10 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9methano-5H-pyndo
11 (1',2'1,2) azepino (5,4-b) indole; Tabernanthe iboga;
12 (13) Lysergic acid diethylamide;
13 (14) Marihuana or marijuana;
14 (15) Mescaline;
15 (16) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-
16 hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran;
17 synhexyl;
18 (17) Peyote, meaning all parts of the plant presently classified
19 botanically as Lophophora Williamsii Lemaire, whether growing or not,
20 the seeds thereof, any extract from any part of such plant, and every
21 compound, manufacture, salts, derivative, mixture, or preparation of
22 such plant, its seeds, or extracts; (interprets 21 U.S.C. Sec. 812 (c),
23 Schedule I (c)(12))
24 (18) N-ethyl-3-piperidyl benzilate;
25 (19) N-methyl-3-piperidyl benzilate;
26 (20) Psilocybin;
27 (21) Psilocyn;
28 (22) Tetrahydrocannabinols, synthetic equivalents of the
29 substances contained in the plant, or in the resinous extractives of
30 Cannabis, species, and/or synthetic substances, derivatives, and

1 their isomers with similar chemical structure and pharmacological
2 activity such as the following:

3 (i) Delta 1 - cis - or trans tetrahydrocannabinol, and their
4 optical isomers, excluding tetrahydrocannabinol in sesame oil and
5 encapsulated in a soft gelatin capsule in a drug product approved by
6 the United States Food and Drug Administration;

7 (ii) Delta 6 - cis - or trans tetrahydrocannabinol, and their
8 optical isomers;

9 (iii) Delta 3,4 - cis - or trans tetrahydrocannabinol, and its
10 optical isomers;

11 (Since nomenclature of these substances is not internationally
12 standardized, compounds of these structures, regardless of numerical
13 designation of atomic positions covered.)

14 (23) Ethylamine analog of phencyclidine: Some trade or other
15 names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)
16 ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

17 (24) Pyrrolidine analog of phencyclidine: Some trade or other
18 names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;

19 (25) Thiophene analog of phencyclidine: Some trade or other
20 names: 1-(1-[2-thienyl]-cyclohexyl)-piperidine; 2-thienyl analog of
21 phencyclidine; TPCP; TCP;

22 (26) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other name
23 is TCPy.

24 (d) Depressants. Unless specifically excepted or unless listed
25 in another schedule, any material, compound, mixture, or preparation
26 which contains any quantity of the following substances having a
27 depressant effect on the central nervous system, including its salts,
28 isomers, and salts of isomers whenever the existence of such salts,
29 isomers, and salts of isomers is possible within the specific chemical
30 designation.

1 (1) Mecloqualone.

2 (2) Methaqualone.

3 (e) Stimulants. Unless specifically excepted or unless listed in
4 another schedule, any material, compound, mixture, or preparation
5 which contains any quantity of the following substances having a
6 stimulant effect on the central nervous system, including its salts,
7 isomers, and salts of isomers:

8 (1) Fenethylline;

9 (2) (+-)cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-
10 phenyl-2-oxazolamine);

11 (3) N-ethylamphetamine;

12 (4) N,N-dimethylamphetamine: some trade or other names: N,N-
13 alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

14 The controlled substances in this section may be rescheduled or
15 deleted as provided for in RCW 69.50.201."

16 "**Sec. 4.** RCW 69.50.205 and 1971 ex.s. c 308 s 69.50.205 are each
17 amended to read as follows:

18 SCHEDULE II TESTS. (a) The state board of pharmacy shall place
19 a substance in Schedule II ((if it finds)) upon finding that:

20 (1) the substance has high potential for abuse;

21 (2) the substance has currently accepted medical use in treatment
22 in the United States, or currently accepted medical use with severe
23 restrictions; and

24 (3) the abuse of the substance may lead to severe ((~~psychic~~)
25 psychological or physical dependence.

26 (b) The state board of pharmacy may place a substance in Schedule
27 II without making the findings required by subsection (a) of this
28 section if the substance is controlled under Schedule II of the federal

1 Controlled Substances Act by a federal agency as the result of an
2 international treaty, convention, or protocol."

3 "Sec. 5. RCW 69.50.206 and 1986 c 124 s 4 are each amended to read
4 as follows:

5 SCHEDULE II. (a) The drugs and other substances listed in this
6 section, by whatever official name, common or usual name, chemical
7 name, or brand name designated, are included in Schedule II.

8 (b) Substances. (Vegetable origin or chemical synthesis.) Unless
9 specifically excepted, any of the following substances, except those
10 listed in other schedules, whether produced directly or indirectly by
11 extraction from substances of vegetable origin, or independently by
12 means of chemical synthesis, or by combination of extraction and
13 chemical synthesis:

14 (1) Opium and ((~~opiate~~)) opium derivative, and any salt, compound,
15 derivative, or preparation of opium or ((~~opiate~~)) opium derivative,
16 excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone,
17 and naltrexone, and their respective salts, but including the
18 following:

- 19 (i) Raw opium;
- 20 (ii) Opium extracts;
- 21 (iii) Opium fluid ((~~extracts~~));
- 22 (iv) Powdered opium;
- 23 (v) Granulated opium;
- 24 (vi) Tincture of opium;
- 25 (vii) Codeine;
- 26 (viii) Ethylmorphine;
- 27 (ix) Etorphine hydrochloride;
- 28 (x) Hydrocodone;
- 29 (xi) Hydromorphone;

- 1 (xii) Metopon;
- 2 (xiii) Morphine;
- 3 (xiv) Oxycodone;
- 4 (xv) Oxymorphone; and
- 5 (xvi) Thebaine.

6 (2) Any salt, compound, isomer, derivative, or preparation thereof
7 (~~which~~) that is chemically equivalent or identical with any of the
8 substances referred to in (~~paragraph~~) subsection (b)(1) of this
9 section, but not including the isoquinoline alkaloids of opium.

10 (3) Opium poppy and poppy straw.

11 (4) Coca leaves and any salt, compound, derivative, or preparation
12 of coca leaves including cocaine and ecgonine, and their salts,
13 isomers, derivatives, and salts of isomers and derivatives, and any
14 salt, compound, derivative, or preparation thereof which is chemically
15 equivalent or identical with any of these substances, but not including
16 decocainized coca leaves or extractions of coca leaves which do not
17 contain cocaine or ecgonine.

18 (5) Methylbenzoylecgonine (cocaine -- its salts, optical isomers,
19 and salts of optical isomers).

20 (6) Concentrate of poppy straw (The crude extract of poppy straw in
21 either liquid, solid, or powder form which contains the
22 (~~phenanthrine~~) phenanthrene alkaloids of the opium poppy.)

23 (c) Opiates. Unless specifically excepted or unless in another
24 schedule, any of the following synthetic opiates, including its
25 isomers, esters, ethers, salts, and salts of isomers, esters, and
26 ethers, whenever the existence of such isomers, esters, ethers, and
27 salts is possible within the specific chemical designation, dextrophan
28 and levopropoxyphene excepted:

29 (1) Alfentanil;

30 (2) Alphaprodine;

1 (~~(2)~~) (3) Anileridine;
2 (~~(3)~~) (4) Bezitramide;
3 (~~(4)~~) (5) Bulk dextropropoxyphene (nondosage forms);
4 (6) Carfentanil;
5 (~~(5)~~) (7) Dihydrocodeine;
6 (~~(6)~~) (8) Diphenoxylate;
7 (~~(7)~~) (9) Fentanyl;
8 (~~(8)~~) (10) Isomethadone;
9 (~~(9)~~) (11) Levomethorphan;
10 (~~(10)~~) (12) Levorphanol;
11 (~~(11)~~) (13) Metazocine;
12 (~~(12)~~) (14) Methadone;
13 (~~(13)~~) (15) Methadone--Intermediate, 4-cyano-2-dimethylamino-4,
14 4-diphenyl butane;
15 (~~(14)~~) (16) Moramide--Intermediate, 2-methyl-3-morpholino-1, 1-
16 diphenylpropane-carboxylic acid;
17 (~~(15)~~) (17) Pethidine (~~(meperidene)~~) (meperidine);
18 (~~(16)~~) (18) Pethidine--Intermediate((-)A, 4-cyano-1-methyl-4-
19 phenylpiperidine;
20 (~~(17)~~) (19) Pethidine--Intermediate((-)B, ethyl-4-
21 phenylpiperidine-4-carboxylate;
22 (~~(18)~~) (20) Pethidine--Intermediate((-)C, 1-methyl-4-
23 phenylpiperidine-4-carboxylic acid;
24 (~~(19)~~) (21) Phenazocine;
25 (~~(20)~~) (22) Piminodine;
26 (~~(21)~~) (23) Racemethorphan;
27 (~~(22)~~) (24) Racemorphan;
28 (~~(23)~~) (25) Sufentanil.

29 (d) Stimulants. Unless specifically excepted or unless listed in
30 another schedule, any material, compound, mixture, or preparation which

1 contains any quantity of the following substances having a stimulant
2 effect on the central nervous system:

3 (1) Amphetamine, its salts, optical isomers, and salts of its
4 optical isomers;

5 (2) Methamphetamine, its salts, isomers, and salts of its isomers;

6 (3) Phenmetrazine and its salts;

7 (4) Methylphenidate.

8 (e) Depressants. Unless specifically excepted or unless listed in
9 another schedule, any material, compound, mixture, or preparation which
10 contains any quantity of the following substances having a depressant
11 effect on the central nervous system, including its salts, isomers, and
12 salts of isomers whenever the existence of such salts, isomers, and
13 salts of isomers is possible within the specific chemical designation:

14 (1) Amobarbital;

15 (2) Glutethimide;

16 (3) Pentobarbital;

17 ~~((+3))~~ (4) Phencyclidine;

18 ~~((+4))~~ (5) Secobarbital.

19 (f) Hallucinogenic substances.

20 (1) Dronabinol (synthetic) in sesame oil and encapsulated in a
21 soft gelatin capsule in a United States Food and Drug Administration
22 approved drug product. (Some other names for dronabinol [6aR-trans]-
23 6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-i-
24 ol, or (-)-delta-9-(trans)-tetrahydrocannabinol.)

25 (2) Nabilone: Some trade or other names are (+)-trans3-(1,1-
26 dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
27 dibenzol[b,d]pyran-9-one].

28 (g) Immediate precursors. Unless specifically excepted or unless
29 listed in another schedule, any material, compound, mixture, or
30 preparation which contains any quantity of the following substances:

- 1 (1) Immediate precursor to amphetamine and methamphetamine:
2 (2) Phenylacetone: Some trade or other names phenyl-2-propanone,
3 P2P, benzyl methyl ketone, methyl benzyl ketone.
4 (3) Immediate precursors to phencyclidine (PCP):
5 (i) 1-phenylcyclohexylamine;
6 (ii) 1-piperidinocyclohexanecarbonitrile (PCC).
7 The controlled substances in this section may be rescheduled or
8 deleted as provided for in RCW 69.50.201."

9 "Sec. 6. RCW 69.50.207 and 1971 ex.s. c 308 s 69.50.207 are each
10 amended to read as follows:

11 SCHEDULE III TESTS. (a) " The state board of pharmacy shall place
12 a substance in Schedule III (~~if it finds~~) upon finding that:

13 (1) the substance has a potential for abuse less than the
14 substances (~~listed~~) included in Schedules I and II;

15 (2) the substance has currently accepted medical use in treatment
16 in the United States; and

17 (3) abuse of the substance may lead to moderate or low physical
18 dependence or high psychological dependence.

19 (b) The state board of pharmacy may place a substance in Schedule
20 III without making the findings required by subsection (a) of this
21 section if the substance is controlled under Schedule III of the
22 federal Controlled Substances Act by a federal agency as the result of
23 an international treaty, convention, or protocol."

24 "Sec. 7. RCW 69.50.208 and 1986 c 124 s 5 are each amended to read
25 as follows:

26 SCHEDULE III. (~~(a) The drugs and other substances listed in~~
27 ~~this section, by whatever official name, common or usual name, chemical~~
28 ~~name, or brand name designated, are included in Schedule III.~~

1 ~~(b) Stimulants. Unless specifically excepted or unless listed in~~
2 ~~another schedule,~~) Unless specifically excepted by state or federal
3 law or regulation or more specifically included in another schedule,
4 the following controlled substances are listed in Schedule III:

5 (a) Any material, compound, mixture, or preparation ((which
6 contains)) containing any quantity of the following substances having
7 a stimulant effect on the central nervous system, including ((its))
8 their salts, isomers ((whether optical, position, or geometric)), and
9 salts of ((such)) isomers whenever the existence of ((such)) those
10 salts, isomers, and salts of isomers is possible within the specific
11 chemical designation:

12 ~~(1) ((Those compounds, mixtures, or preparations in dosage unit~~
13 ~~form containing any stimulant substances listed in Schedule II which~~
14 ~~compounds, mixtures, or preparations are referred to as excepted~~
15 ~~compounds in Schedule III as published in 21 CFR 1308.13(b)(1) as of~~
16 ~~April 1, 1985, and any other drug of the quantitative composition shown~~
17 ~~in that list for those drugs or which is the same except that it~~
18 ~~contains a lesser quantity of controlled substances))~~ Any compound,
19 mixture, or preparation in dosage unit form containing any stimulant
20 substance included in Schedule II and which was listed as an excepted
21 compound on August 25, 1971, pursuant to the federal controlled
22 substances act, and any other drug of the quantitative composition
23 shown in that list for those drugs or which is the same except for
24 containing a lesser quantity of controlled substances;

25 (2) Benzphetamine;

26 (3) Chlorphentermine;

27 (4) Clortermine;

28 (5) Phendimetrazine.

29 ~~((c))~~ (b) Depressants. Unless specifically excepted or unless
30 listed in another schedule, any material, compound, mixture, or

1 preparation which contains any quantity of the following substances
2 having a depressant effect on the central nervous system:

3 (1) Any compound, mixture, or preparation containing any of the
4 following drugs or their salts and one or more other active medicinal
5 ingredients not included in any schedule:

6 (i) Amobarbital;

7 (ii) Secobarbital;

8 (iii) Pentobarbital;

9 or any salt thereof and one or more other active medicinal ingredients
10 which are not listed in any schedule;

11 (2) Any suppository dosage form containing:

12 (i) Amobarbital;

13 (ii) Secobarbital;

14 (iii) Pentobarbital;

15 or any salt of any of these drugs and approved by the Food and Drug
16 Administration for marketing only as a suppository;

17 (3) Any substance which contains any quantity of a derivative of
18 barbituric acid, or any salt of a derivative of barbituric acid;

19 (4) Chlorhexadol;

20 (5) (~~Glutethimide;~~

21 ~~(6))~~ Lysergic acid;

22 (~~(7))~~ (6) Lysergic acid amide;

23 (~~(8))~~ (7) Methyprylon;

24 (~~(9))~~ (8) Sulfondiethylmethane;

25 (~~(10))~~ (9) Sulfonethylmethane;

26 (~~(11))~~ (10) Sulfonmethane;

27 (11) Tiletamine and zolazepam or any of their salts--some trade or
28 other names for a tiletamine-zolazepam combination product: Telazol
29 some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)
30 cyclohexanone--some trade or other names for zolazepam: 4-(2-

1 fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-
2 diazepin-7(1H)-one flupyrzapon.).

3 ((~~d~~)) (c) Nalorphine.

4 (d) Anabolic steroids. The term "anabolic steroid" means any
5 drug or hormonal substance, chemically and pharmacologically related
6 to testosterone (other than estrogens, progestins, and corticosteroids)
7 that promotes muscle growth, and includes:

8 (1) Boldenone;

9 (2) Chlorotestosterone;

10 (3) Clostebol;

11 (4) Dehydrochlormethyltestosterone;

12 (5) Dihydrotestosterone;

13 (6) Drostanolone;

14 (7) Ethylestrenol;

15 (8) Fluoxymesterone;

16 (9) Formebolone;

17 (10) Mesterolone;

18 (11) Methandienone;

19 (12) Methandranone;

20 (13) Methandriol;

21 (14) Methandrostenolone;

22 (15) Methenolone;

23 (16) Methyltestosterone;

24 (17) Mibolerone;

25 (18) Nanrolone;

26 (19) Norethandrolone;

27 (20) Oxandrolone;

28 (21) Oxymesterone;

29 (22) Oxymetholone;

30 (23) Stanolone;

1 (24) Stanozolol;

2 (25) Testolactone;

3 (26) Testosterone;

4 (27) Trenbolone; and

5 (28) Any salt, ester, or isomer of a drug or substance described or
6 listed in this subsection, if that salt, ester, or isomer promotes
7 muscle growth. Except such term does not include an anabolic steroid
8 which is expressly intended for administration through implants to
9 cattle or other nonhuman species and which has been approved by the
10 secretary of health and human services for such administration. If
11 any person prescribes, dispenses, or distributes such steroid for
12 human use such person shall be considered to have prescribed,
13 dispensed, or distributed an anabolic steroid within the meaning of
14 this subsection.

15 (e) Narcotic drugs. Unless specifically excepted or unless listed
16 in another schedule, any material, compound, mixture, or preparation
17 containing limited quantities of any of the following narcotic drugs,
18 or any salts thereof calculated as the free anhydrous base or alkaloid,
19 in limited quantities as set forth in (~~paragraph (e) of this section~~)
20 this subsection:

21 (1) Not more than 1.8 grams of codeine per 100 milliliters or not
22 more than 90 milligrams per dosage unit, with an equal or greater
23 quantity of an isoquinoline alkaloid of opium;

24 (2) Not more than 1.8 grams of codeine per 100 milliliters or not
25 more than 90 milligrams per dosage unit, with one or more active,
26 nonnarcotic ingredients in recognized therapeutic amounts;

27 (3) Not more than 300 milligrams of dihydrocodeinone per 100
28 milliliters or not more than 15 milligrams per dosage unit, with a
29 fourfold or greater quantity of an isoquinoline alkaloid of opium;

1 (4) Not more than 300 milligrams of dihydrocodeinone per 100
2 milliliters or not more than 15 milligrams per dosage unit, with one or
3 more active, nonnarcotic ingredients in recognized therapeutic amounts;

4 (5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters
5 or not more than 90 milligrams per dosage unit, with one or more
6 active, nonnarcotic ingredients in recognized therapeutic amounts;

7 (6) Not more than 300 milligrams of ethylmorphine per 100
8 milliliters or not more than 15 milligrams per dosage unit, with one or
9 more active, nonnarcotic ingredients in recognized therapeutic amounts;

10 (7) Not more than 500 milligrams of opium per 100 milliliters or
11 per 100 grams, or not more than 25 milligrams per dosage unit, with one
12 or more active, nonnarcotic ingredients in recognized therapeutic
13 amounts;

14 (8) Not more than 50 milligrams of morphine per 100 milliliters or
15 per 100 grams with one or more active, nonnarcotic ingredients in
16 recognized therapeutic amounts.

17 The state board of pharmacy may except by rule any compound,
18 mixture, or preparation containing any stimulant or depressant
19 substance listed in subsections (a)(1) and (2) of this section from the
20 application of all or any part of this chapter if the compound,
21 mixture, or preparation contains one or more active medicinal
22 ingredients not having a stimulant or depressant effect on the central
23 nervous system, and if the admixtures are in combinations, quantity,
24 proportion, or concentration that vitiate the potential for abuse of
25 the substances having a stimulant or depressant effect on the central
26 nervous system.

27 The controlled substances listed in this section may be rescheduled
28 or deleted as provided for in RCW 69.50.201."

1 **"Sec. 8.** RCW 69.50.209 and 1971 ex.s. c 308 s 69.50.209 are each
2 amended to read as follows:

3 SCHEDULE IV TESTS. (a) The state board of pharmacy shall place
4 a substance in Schedule IV ~~((if it finds))~~ upon finding that:

5 (1) the substance has a low potential for abuse relative to
6 substances in Schedule III;

7 (2) the substance has currently accepted medical use in treatment
8 in the United States; and

9 (3) abuse of the substance may lead to limited physical dependence
10 or psychological dependence relative to the substances included in
11 Schedule III.

12 (b) The state board of pharmacy may place a substance in Schedule
13 IV without making the findings required by subsection (a) of this
14 section if the substance is controlled under Schedule IV of the federal
15 Controlled Substances Act by a federal agency as the result of an
16 international treaty, convention, or protocol."

17 **"Sec. 9.** RCW 69.50.210 and 1986 c 124 s 6 are each amended to read
18 as follows:

19 SCHEDULE IV. ~~((a) The drugs and other substances listed in~~
20 ~~this section, by whatever official name, common or usual name, chemical~~
21 ~~name, or brand name designated, are included in Schedule IV.~~

22 ~~(b) Narcotic drugs. Unless specifically excepted or unless listed~~
23 ~~in another schedule,~~) Unless specifically excepted by state or federal
24 law or regulation or more specifically included in another schedule,
25 the following controlled substances are listed in Schedule IV:

26 (a) Any material, compound, mixture, or preparation containing any
27 of the following narcotic drugs, or their salts calculated as the free
28 anhydrous base or alkaloid, in limited quantities as set forth below:

1 (1) Not more than 1 milligram of difenoxin and not less than 25
2 micrograms of atropine sulfate per dosage unit.

3 (2) Dextropropoxyphene (alpha-(+)((-e))-4-dimethylamino-1,2-
4 diphenyl-3-methyl-2-propionoxybutane).

5 ((+e)) (b) Depressants. Unless specifically excepted or unless
6 listed in another schedule, any material, compound, mixture, or
7 preparation ((which contains)) containing any quantity of the following
8 substances having a depressant effect on the central nervous system,
9 including ((its)) their salts, isomers, and salts of isomers whenever
10 the existence of ((such)) those salts, isomers, and salts of isomers is
11 possible within the specific chemical designation:

12 ((1) Alprazolam;

13 (2) Barbital;

14 (3) Chloral betaine;

15 (4) Chloral hydrate;

16 (5) Chlordiazepoxide;

17 (6) Clonazepam;

18 (7) Clorazepate;

19 (8) Diazepam;

20 (9) Ethchlorvynol;

21 (10) Ethinamate;

22 (11) Flurazepam;

23 (12) Halazepam;

24 (13) Lorazepam;

25 (14) Mebutamate;

26 (15) Meprobamate;

27 (16) Methohexital;

28 (17) Methylphenobarbital (mephobarbital);

29 (18) Oxazepam;

30 (19) Paraldehyde;

- 1 ~~(20) Petrichloral;~~
- 2 ~~(21) Phenobarbital;~~
- 3 ~~(22) Prazepam;~~
- 4 ~~(23) Temazepam;~~
- 5 ~~(24) Triazolam.~~
- 6 ~~(d) Fenfluramine.)~~
- 7 (1) Alprazolam;
- 8 (2) Barbital;
- 9 (3) Bromazepam;
- 10 (4) Camazepam;
- 11 (5) Chloral betaine;
- 12 (6) Chloral hydrate;
- 13 (7) Chlordiazepoxide;
- 14 (8) Clobazam;
- 15 (9) Clonazepam;
- 16 (10) Clorazepate;
- 17 (11) Clotiazepam;
- 18 (12) Cloxazolam;
- 19 (13) Delorazepam;
- 20 (14) Diazepam;
- 21 (15) Estazolam;
- 22 (16) Ethchlorvynol;
- 23 (17) Ethinamate;
- 24 (18) Ethyl loflazepate;
- 25 (19) Fludiazepam;
- 26 (20) Flunitrazepam;
- 27 (21) Flurazepam;
- 28 (22) Halazepam;
- 29 (23) Haloxazolam;
- 30 (24) Ketazolam;

- 1 (25) Loprazolam;
- 2 (26) Lorazepam;
- 3 (27) Lormetazepam;
- 4 (28) Mebutamate;
- 5 (29) Medazepam;
- 6 (30) Meprobamate;
- 7 (31) Methohexital;
- 8 (32) Methylphenobarbital (mephobarbital);
- 9 (33) Midazolam;
- 10 (34) Nimetazepam;
- 11 (35) Nitrazepam;
- 12 (36) Nordiazepam;
- 13 (37) Oxazepam;
- 14 (38) Oxazolam;
- 15 (39) Paraldehyde;
- 16 (40) Petrichloral;
- 17 (41) Phenobarbital;
- 18 (42) Pinazepam;
- 19 (43) Prazepam;
- 20 (44) Quazepam;
- 21 (45) Temazepam;
- 22 (46) Tetrazepam;
- 23 (47) Triazolam.

24 (c) Any material, compound, mixture, or preparation (~~which~~
25 ~~contains~~) containing any quantity of the following substance(~~s~~),
26 including its salts, isomers (~~(whether optical, position, or~~
27 ~~geometric)~~), and salts of such isomers, whenever the existence of such
28 salts, isomers, and salts of isomers is possible(~~-~~):

29 ~~((1))~~ Fenfluramine.

1 ~~((e))~~ (d) Stimulants. Unless specifically excepted or unless
2 listed in another schedule, any material, compound, mixture, or
3 preparation ~~((which contains))~~ containing any quantity of the following
4 substances having a stimulant effect on the central nervous system,
5 including ~~((its))~~ their salts, isomers ~~((whether optical, position, or
6 geometric))~~, and salts of ~~((such))~~ isomers ~~((whenever the existence of
7 such salts, isomers, and salts of isomers is possible within the
8 specific chemical designation))~~:

9 (1) Cathine ~~((+))~~ norpseudoephedrine;

10 (2) Diethylpropion;

11 ~~((+2))~~ (3) Fencamfamin;

12 (4) Fenproporex;

13 (5) Mazindol;

14 ~~((+3))~~ (6) Mefenorex;

15 (7) Pemoline (including organometallic complexes and chelates
16 thereof);

17 ~~((+4))~~ (8) Phentermine;

18 ~~((+5))~~ (9) Pipradrol;

19 ~~((+6))~~ (10) SPA ~~((-))~~-1-dimethylamino-1, 2-dephenylethane).

20 ~~((+f))~~ (e) Other substances. Unless specifically excepted or
21 unless listed in another schedule, any material, compound, mixture, or
22 preparation ~~((which contains))~~ containing any quantity of the following
23 substance~~((s))~~, including its salts: (1) Pentazocine.

24 The state board of pharmacy may except by rule any compound,
25 mixture, or preparation containing any depressant substance listed in
26 subsection (b) of this section from the application of all or any part
27 of this chapter if the compound, mixture, or preparation contains one
28 or more active medicinal ingredients not having a depressant effect on
29 the central nervous system, and if the admixtures are in combinations,
30 quantity, proportion, or concentration that vitiate the potential for

1 abuse of the substances having a depressant effect on the central
2 nervous system.

3 The controlled substances listed in this section may be rescheduled
4 or deleted as provided for in RCW 69.50.201."

5 "Sec. 10. RCW 69.50.211 and 1971 ex.s. c 308 s 69.50.211 are each
6 amended to read as follows:

7 SCHEDULE V TESTS. (a) The state board of pharmacy shall place
8 a substance in Schedule V (~~((if it finds))~~) upon finding that:

9 (1) the substance has low potential for abuse relative to the
10 controlled substances (~~((listed))~~) included in Schedule IV;

11 (2) the substance has currently accepted medical use in treatment
12 in the United States; and

13 (3) abuse of the substance (~~((has))~~) may lead to limited physical
14 dependence or psychological dependence (~~((liability))~~) relative to the
15 (~~((controlled))~~) substances (~~((listed))~~) included in Schedule IV.

16 (b) The state board of pharmacy may place a substance in Schedule
17 V without being required to make the findings required by subsection
18 (a) of this section if the substance is controlled under Schedule V of
19 the federal Controlled Substances Act by a federal agency as the result
20 of an international treaty, convention, or protocol."

21 "Sec. 11. RCW 69.50.212 and 1986 c 124 s 7 are each amended to
22 read as follows:

23 SCHEDULE V. (~~((a) The drugs and other substances listed in~~
24 ~~this section, by whatever official name, common or usual name, chemical~~
25 ~~name, or brand name designated, are included in Schedule V.~~

26 (b) ~~Narcotic drugs containing nonnarcotic active medicinal~~
27 ~~ingredients.)) Unless specifically excepted by state or federal law or~~

1 regulation or more specifically included in another schedule, the
2 following controlled substances are listed in Schedule V:

3 (a) Any material, compound, mixture, or preparation containing any
4 of the following narcotic drug and its salts: Buprenorphine.

5 (b) Any compound, mixture, or preparation containing any of the
6 following narcotic drugs, or their salts calculated as the free
7 anhydrous base or alkaloid, in limited quantities as set forth in this
8 ((section)) subsection, which ((shall include)) also contains one or
9 more nonnarcotic active medicinal ingredients in sufficient proportion
10 to confer upon the compound, mixture, or preparation, valuable
11 medicinal qualities other than those possessed by the narcotic drug
12 alone:

13 (1) Not more than 200 milligrams of codeine per 100 milliliters or
14 per 100 grams;

15 (2) Not more than 100 milligrams of dihydrocodeine per 100
16 milliliters or per 100 grams;

17 (3) Not more than 100 milligrams of ethylmorphine per 100
18 milliliters or per 100 grams;

19 (4) Not more than 2.5 milligrams of diphenoxylate and not less than
20 25 micrograms of atropine sulfate per dosage unit;

21 (5) Not more than 100 milligrams of opium per 100 milliliters or
22 per 100 grams;

23 (6) Not more than 0.5 milligrams of difenoxin and not less than 25
24 micrograms of atropine sulfate per dosage unit(

25 ~~(c) Buprenorphine~~)).

26 (c) Any material, compound, mixture, or preparation containing any
27 quantity of the following substances having a stimulant effect on the
28 central nervous system, including their salts, isomers, and salts of
29 isomers:

30 Pyrovalerone.

1 The controlled substances listed in this section may be rescheduled
2 or deleted as provided for in RCW 69.50.201."

3 "**Sec. 12.** RCW 69.50.213 and 1971 ex.s. c 308 s 69.50.213 are each
4 amended to read as follows:

5 REPUBLISHING OF SCHEDULES. The state board of pharmacy shall
6 (~~at least semiannually for two years from May 21, 1971 and thereafter~~
7 ~~annually consider the revision of the schedules published pursuant to~~
8 ~~chapter 34.05 RCW~~) publish updated schedules annually. Failure to
9 publish updated schedules is not a defense in any administrative or
10 judicial proceeding under this chapter."

11 "NEW SECTION. **Sec. 13.** A new section is added to chapter 69.50
12 RCW to read as follows:

13 CONTROLLED SUBSTANCE ANALOG TREATED AS SCHEDULE I SUBSTANCE. A
14 controlled substance analog, to the extent intended for human
15 consumption, shall be treated, for the purposes of this chapter, as a
16 substance included in Schedule I. Within thirty days after the
17 initiation of prosecution with respect to a controlled substance analog
18 by indictment or information, the prosecuting attorney shall notify the
19 state board of pharmacy of information relevant to emergency scheduling
20 as provided for in RCW 69.50.201(f). After final determination that
21 the controlled substance analog should not be scheduled, no prosecution
22 relating to that substance as a controlled substance analog may
23 continue or take place."

24 **SSB 6191** - H COMM AMD
25 By Committee on Health Care

26

1 On page 1, line 1 of the title, after "substances;" strike the
2 remainder of the title, and insert "amending RCW 69.50.201, 69.50.203,
3 69.50.204, 69.50.205, 69.50.206, 69.50.207, 69.50.208, 69.50.209,
4 69.50.210, 69.50.211, 69.50.212, and 69.50.213; and adding a new
5 section to chapter 69.50 RCW."