

FIRST REGULAR SESSION

HOUSE BILL NO. 633

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LIPKE (Sponsor) AND BRINGER (Co-sponsor).

Read 1st time February 23, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1657L.02I

AN ACT

To repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to drug regulations.

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

Section A. Section 195.017, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.017, to read as follows:

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

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

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

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

(a) Acetyl-alpha-methylfentanyl;

(b) Acetylmethadol;

(c) Allylprodine;

(d) Alphacetylmethadol;

(e) Alphameprodine;

(f) Alphamethadol;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

- 125 [(y)] **(aa)** Psilocybin;
- 126 [(z)] **(bb)** Psilocyn;
- 127 [(aa)] **(cc)** Tetrahydrocannabinols;
- 128 [(bb)] **(dd)** Ethylamine analog of phencyclidine;
- 129 [(cc)] **(ee)** Pyrrolidine analog of phencyclidine;
- 130 [(dd)] **(ff)** Thiophene analog of phencyclidine;
- 131 **(gg) 1-(3-Trifluoromethylphenyl)piperazine or TFMPP;**
- 132 [(ee)] **(hh)** 1-(1-(2-thienyl)cyclohexyl) pyrrolidine;
- 133 **(ii) Salvia divinorum;**
- 134 **(jj) Salvinorin A;**
- 135 (5) Any material, compound, mixture or preparation containing any quantity of the
- 136 following substances having a depressant effect on the central nervous system, including their
- 137 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
- 138 isomers is possible within the specific chemical designation:
- 139 (a) Gamma hydroxybutyric acid;
- 140 (b) Mecloqualone;
- 141 (c) Methaqualone;
- 142 (6) Any material, compound, mixture or preparation containing any quantity of the
- 143 following substances having a stimulant effect on the central nervous system, including their
- 144 salts, isomers and salts of isomers:
- 145 (a) Aminorex;
- 146 (b) Cathinone;
- 147 (c) Fenethylamine;
- 148 (d) Methcathinone;
- 149 (e) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazolamine);
- 150 (f) N-ethylamphetamine;
- 151 (g) N,N-dimethylamphetamine;
- 152 (7) A temporary listing of substances subject to emergency scheduling under federal law
- 153 shall include any material, compound, mixture or preparation which contains any quantity of the
- 154 following substances:
- 155 (a) N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide (benzylfentanyl), its optical isomers,
- 156 salts and salts of isomers;
- 157 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
- 158 optical isomers, salts and salts of isomers;
- 159 **(c) Alpha-Methyltryptamine, or (AMT);**
- 160 **(d) 5-Methoxy-N,N-Diisopropyltryptamine, or(5-MeO-DIPT).**

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

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

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

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

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

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

171 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
172 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
173 nalmefene, naloxone and naltrexone, and their respective salts but including the following:

174 a. Raw opium;

175 b. Opium extracts;

176 c. Opium fluid;

177 d. Powdered opium;

178 e. Granulated opium;

179 f. Tincture of opium;

180 g. Codeine;

181 h. Ethylmorphine;

182 i. Etorphine hydrochloride;

183 j. Hydrocodone;

184 k. Hydromorphone;

185 l. Metopon;

186 m. Morphine;

187 n. Oxycodone;

188 o. Oxymorphone;

189 p. Thebaine;

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

193 (c) Opium poppy and poppy straw;

194 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
195 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical

196 with any of these substances, but not including decocainized coca leaves or extractions which
197 do not contain cocaine or ecgonine;

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

200 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
201 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
202 the specific chemical designation, dextrophan and levopropoxyphene excepted:

203 (a) Alfentanil;

204 (b) Alphaprodine;

205 (c) Anileridine;

206 (d) Bezitramide;

207 (e) Bulk Dextropropoxyphene;

208 (f) Carfentanil;

209 (g) Butyl nitrite;

210 (h) Dihydrocodeine;

211 (i) Diphenoxylate;

212 (j) Fentanyl;

213 (k) Isomethadone;

214 (l) Levo-alphacetylmethadol;

215 (m) Levomethorphan;

216 (n) Levorphanol;

217 (o) Metazocine;

218 (p) Methadone;

219 (q) Meperidine;

220 (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

221 (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
222 acid;

223 (t) Pethidine;

224 (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

225 (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

226 (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

227 (x) Phenazocine;

228 (y) Piminodine;

229 (z) Racemethorphan;

230 (aa) Racemorphan;

231 (bb) [Sulfentanil] **Sufentanil**;

- 232 (3) Any material, compound, mixture, or preparation which contains any quantity of the
233 following substances having a stimulant effect on the central nervous system:
- 234 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
235 (b) Methamphetamine, its salts, isomers, and salts of its isomers;
236 (c) Phenmetrazine and its salts;
237 (d) Methylphenidate;
- 238 (4) Any material, compound, mixture, or preparation which contains any quantity of the
239 following substances having a depressant effect on the central nervous system, including its salts,
240 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
241 is possible within the specific chemical designation:
- 242 (a) Amobarbital;
243 (b) Glutethimide;
244 (c) Pentobarbital;
245 (d) Phencyclidine;
246 (e) Secobarbital;
- 247 (5) Any material, compound or compound which contains any quantity of [the following
248 substances:
- 249 (a) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
250 United States Food and Drug Administration approved drug product;
251 (b)] Nabilone;
- 252 (6) Any material, compound, mixture, or preparation which contains any quantity of the
253 following substances:
- 254 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
255 (b) Immediate precursors to phencyclidine (PCP):
256 a. 1-phenylcyclohexylamine;
257 b. 1-piperidinocyclohexanecarbonitrile (PCC).
- 258 5. The department of health and senior services shall place a substance in Schedule III
259 if it finds that:
- 260 (1) The substance has a potential for abuse less than the substances listed in Schedules
261 I and II;
- 262 (2) The substance has currently accepted medical use in treatment in the United States;
263 and
- 264 (3) Abuse of the substance may lead to moderate or low physical dependence or high
265 psychological dependence.
- 266 6. The controlled substances listed in this subsection are included in Schedule III:

- 267 (1) Any material, compound, mixture, or preparation which contains any quantity of the
268 following substances having a potential for abuse associated with a stimulant effect on the
269 central nervous system:
- 270 (a) Benzphetamine;
 - 271 (b) Chlorphentermine;
 - 272 (c) Clortermine;
 - 273 (d) Phendimetrazine;
- 274 (2) Any material, compound, mixture or preparation which contains any quantity or salt
275 of the following substances or salts having a depressant effect on the central nervous system:
- 276 (a) Any material, compound, mixture or preparation which contains any quantity or salt
277 of the following substances combined with one or more active medicinal ingredients:
 - 278 a. Amobarbital;
 - 279 b. Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
280 a drug product for which an application has been approved under Section 505 of the Federal
281 Food, Drug, and Cosmetic Act;
 - 282 c. Secobarbital;
 - 283 d. Pentobarbital;
 - 284 (b) Any suppository dosage form containing any quantity or salt of the following:
 - 285 a. Amobarbital;
 - 286 b. Secobarbital;
 - 287 c. Pentobarbital;
 - 288 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
289 salt;
 - 290 (d) Chlorhexadol;
 - 291 (e) Ketamine, its salts, isomers, and salts of isomers;
 - 292 (f) Lysergic acid;
 - 293 (g) Lysergic acid amide;
 - 294 (h) Methyprylon;
 - 295 (i) Sulfondiethylmethane;
 - 296 (j) Sulfonethylmethane;
 - 297 (k) Sulfonmethane;
 - 298 (l) Tiletamine and zolazepam or any salt thereof;
 - 299 (3) Nalorphine;
- 300 (4) Any material, compound, mixture, or preparation containing limited quantities of any
301 of the following narcotic drugs or their salts:

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

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

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

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

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

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

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

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

326 (5) **Any material, compound, mixture, or preparation containing any of the**
327 **following narcotic drugs or their salts, as set forth in subdivision (6) of this subsection;**
328 **buprenorphine.**

329 (6) **Anabolic steroids. Any drug or hormonal substance, chemically and**
330 **pharmacologically related to testosterone (other than estrogens, progestins, and**
331 **corticosteroids) that promotes muscle growth, except an anabolic steroid which is expressly**
332 **intended for administration through implants to cattle or other nonhuman species and**
333 **which has been approved by the secretary of Health and Human Services for that**
334 **administration. If any person prescribes, dispenses, or distributes such steroid for human**
335 **use, such person shall be considered to have prescribed, dispensed, or distributed an**
336 **anabolic steroid within the meaning of this paragraph. Unless [specially] specifically**
337 **excepted or unless listed in another schedule, any material, compound, mixture or preparation**

338 containing any quantity of the following substances, including its salts, isomers and salts of
339 isomers whenever the existence of such salts of isomers is possible within the specific chemical
340 designation:

- 341 (a) Boldenone;
- 342 (b) Chlorotestosterone (4-Chlortestosterone);
- 343 (c) Clostebol;
- 344 (d) Dehydrochlormethyltestosterone;
- 345 (e) Dihydrotestosterone (4-Dihydro-testosterone);
- 346 (f) Drostanolone;
- 347 (g) Ethylestrenol;
- 348 (h) Fluoxymesterone;
- 349 (i) Formebolone (Formebolone);
- 350 (j) Mesterolone;
- 351 (k) Methandienone;
- 352 (l) Methandranone;
- 353 (m) Methandriol;
- 354 (n) Methandrostenolone;
- 355 (o) Methenolone;
- 356 (p) Methyltestosterone;
- 357 (q) Mibolerone;
- 358 (r) Nandrolone;
- 359 (s) Norethandrolone;
- 360 (t) Oxandrolone;
- 361 (u) Oxymesterone;
- 362 (v) Oxymetholone;
- 363 (w) Stanolone;
- 364 (x) Stanozolol;
- 365 (y) Testolactone;
- 366 (z) Testosterone;
- 367 (aa) Trenbolone;
- 368 (bb) Any salt, ester, or isomer of a drug or substance described or listed in this
369 subdivision, if that salt, ester or isomer promotes muscle growth except an anabolic steroid
370 which is expressly intended for administration through implants to cattle or other nonhuman
371 species and which has been approved by the secretary of health and human services for that
372 administration.

373 **(7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule**
374 **in a United States Food and Drug Administration approved drug product. Some other**
375 **names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-**
376 **dibenzo (b,d) pyran-1-ol, or (-)-delta-9-(trans)-tetrahydracannabinol).**

377 [(6)] (8) The department of health and senior services may except by rule any compound,
378 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
379 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
380 195.320 if the compound, mixture, or preparation contains one or more active medicinal
381 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
382 admixtures are included therein in combinations, quantity, proportion, or concentration that
383 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
384 the central nervous system.

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

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

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

389 and

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

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

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

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

398 (b) Dextropropoxyphene (alpha-(+)-4-dimethy-lamino-1, 2-diphenyl-3-methyl-2-
399 propionoxybutane);

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

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

406 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
407 or per one hundred grams;

408 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
409 or per one hundred grams;

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

- 413 (a) Alprazolam;
- 414 (b) Barbitol;
- 415 (c) Bromazepam;
- 416 (d) Camazepam;
- 417 (e) Chloral betaine;
- 418 (f) Chloral hydrate;
- 419 (g) Chlordiazepoxide;
- 420 (h) Clobazam;
- 421 (i) Clonazepam;
- 422 (j) Clorazepate;
- 423 (k) Clotiazepam;
- 424 (l) Cloxazolam;
- 425 (m) Delorazepam;
- 426 (n) Diazepam;
- 427 (o) **Dichloralphenazone**;
- 428 (p) Estazolam;
- 429 [(p)] (q) Ethchlorvynol;
- 430 [(q)] (r) Ethinamate;
- 431 [(r)] (s) Ethyl loflazepate;
- 432 [(s)] (t) Fludiazepam;
- 433 [(t)] (u) Flunitrazepam;
- 434 [(u)] (v) Flurazepam;
- 435 [(v)] (w) Halazepam;
- 436 [(w)] (x) Haloxazolam;
- 437 [(x)] (y) Ketazolam;
- 438 [(y)] (z) Loprazolam;
- 439 [(z)] (aa) Lorazepam;
- 440 [(aa)] (bb) Lormetazepam;
- 441 [(bb)] (cc) Mebutamate;
- 442 [(cc)] (dd) Medazepam;
- 443 [(dd)] (ee) Meprobamate;

- 444 [(ee)] **(ff)** Methohexital;
445 [(ff)] **(gg)** Methylphenobarbital;
446 [(gg)] **(hh)** Midazolam;
447 [(hh)] **(ii)** Nimetazepam;
448 [(ii)] **(jj)** Nitrazepam;
449 [(jj)] **(kk)** Nordiazepam;
450 [(kk)] **(ll)** Oxazepam;
451 [(ll)] **(mm)** Oxazolam;
452 [(mm)] **(nn)** Paraldehyde;
453 [(nn)] **(oo)** Petrichloral;
454 [(oo)] **(pp)** Phenobarbital;
455 [(pp)] **(qq)** Pinazepam;
456 [(qq)] **(rr)** Prazepam;
457 [(rr)] **(ss)** Quazepam;
458 [(ss)] **(tt)** Temazepam;
459 [(tt)] **(uu)** Tetrazepam;
460 [(uu)] **(vv)** Triazolam;
461 **(xx) Zaleplon;**
462 [(vv)] **(yy)** Zolpidem;
463 (3) Any material, compound, mixture, or preparation which contains any quantity of the
464 following substance including its salts, isomers and salts of isomers whenever the existence of
465 such salts, isomers and salts of isomers is possible: fenfluramine;
466 (4) Any material, compound, mixture or preparation containing any quantity of the
467 following substances having a stimulant effect on the central nervous system, including their
468 salts, isomers and salts of isomers:
469 (a) Cathine ((+)-norpseudoephedrine);
470 (b) Diethylpropion;
471 (c) Fencamfamin;
472 (d) Fenproporex;
473 (e) Mazindol;
474 (f) Mefenorex;
475 (g) **Modafinil;**
476 **(h)** Pemoline, including organometallic complexes and chelates thereof;
477 [(h)] **(i)** Phentermine;
478 [(i)] **(j)** Pipradrol;
479 **(k) Sibutramine;**

480 [(j)] (I) SPA ((-)-1-dimethy-amino-1,2-diphenylethane);

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

483 (a) **butorphanol**;

484 (b) pentazocine;

485 (6) Any material, compound, mixture or preparation which contains any quantity of the
486 following substances having a stimulant effect on the central nervous system including their
487 salts, isomers and salts of isomers: ephedrine or its salts, optical isomers, or salts of optical
488 isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers,
489 or salts of optical isomers and therapeutically insignificant quantities of another active medicinal
490 ingredient;

491 (7) The department of health and senior services may except by rule any compound,
492 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
493 subsection from the application of all or any part of sections 195.010 to 195.320 if the
494 compound, mixture, or preparation contains one or more active medicinal ingredients not having
495 a depressant effect on the central nervous system, and if the admixtures are included therein in
496 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
497 substances which have a depressant effect on the central nervous system.

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

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

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

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

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

507 (1) [Any material, compound, mixture or preparation containing any of the following
508 narcotic drug and its salts: buprenorphine;

509 (2)] Any compound, mixture or preparation containing any of the following narcotic
510 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
511 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
512 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
513 qualities other than those possessed by the narcotic drug alone:

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

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

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

520 [(3)] (2) Any material, compound, mixture or preparation which contains any quantity
521 of the following substance having a stimulant effect on the central nervous system including its
522 salts, isomers and salts of isomers: pyrovalerone.

523 11. The department of health and senior services shall revise and republish the schedules
524 annually.