

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 58th Legislature (2021)

4   HOUSE BILL 2656

By: Echols

7                   AS INTRODUCED

8           An Act relating to public health and safety; amending  
9           63 O.S. 2011, Sections 2-101, as last amended by  
10          Section 1, Chapter 101, O.S.L. 2020 and 2-204, as  
11          last amended by Section 1, Chapter 207, O.S.L. 2019  
12          (63 O.S. Supp. 2020, Sections 2-101 and 2-204), which  
13          relate to the Uniform Controlled Dangerous Substances  
14          Act; modifying exception to certain defined term;  
15          providing for the exclusion of controlled substance  
16          from Schedule I under certain circumstances; and  
17          providing an effective date.

18   BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19           SECTION 1.        AMENDATORY        63 O.S. 2011, Section 2-101, as  
20           last amended by Section 1, Chapter 101, O.S.L. 2020 (63 O.S. Supp.  
21           2020, Section 2-101), is amended to read as follows:

22           Section 2-101. As used in the Uniform Controlled Dangerous  
23           Substances Act:

24           1. "Administer" means the direct application of a controlled  
          dangerous substance, whether by injection, inhalation, ingestion or  
          any other means, to the body of a patient, animal or research  
          subject by:

1           a.    a practitioner (or, in the presence of the  
2                   practitioner, by the authorized agent of the  
3                   practitioner), or

4           b.    the patient or research subject at the direction and  
5                   in the presence of the practitioner;

6           2.    "Agent" means a peace officer appointed by and who acts on  
7                   behalf of the Director of the Oklahoma State Bureau of Narcotics and  
8                   Dangerous Drugs Control or an authorized person who acts on behalf  
9                   of or at the direction of a person who manufactures, distributes,  
10                  dispenses, prescribes, administers or uses for scientific purposes  
11                  controlled dangerous substances but does not include a common or  
12                  contract carrier, public warehouser or employee thereof, or a person  
13                  required to register under the Uniform Controlled Dangerous  
14                  Substances Act;

15          3.    "Board" means the Advisory Board to the Director of the  
16                  Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

17          4.    "Bureau" means the Oklahoma State Bureau of Narcotics and  
18                  Dangerous Drugs Control;

19          5.    "Coca leaves" includes cocaine and any compound,  
20                  manufacture, salt, derivative, mixture or preparation of coca  
21                  leaves, except derivatives of coca leaves which do not contain  
22                  cocaine or ecgonine;

23          6.    "Commissioner" or "Director" means the Director of the  
24                  Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

1       7. "Control" means to add, remove or change the placement of a  
2 drug, substance or immediate precursor under the Uniform Controlled  
3 Dangerous Substances Act;

4       8. "Controlled dangerous substance" means a drug, substance or  
5 immediate precursor in Schedules I through V of the Uniform  
6 Controlled Dangerous Substances Act or any drug, substance or  
7 immediate precursor listed either temporarily or permanently as a  
8 federally controlled substance. Any conflict between state and  
9 federal law with regard to the particular schedule in which a  
10 substance is listed shall be resolved in favor of state law;

11       9. "Counterfeit substance" means a controlled substance which,  
12 or the container or labeling of which without authorization, bears  
13 the trademark, trade name or other identifying marks, imprint,  
14 number or device or any likeness thereof of a manufacturer,  
15 distributor or dispenser other than the person who in fact  
16 manufactured, distributed or dispensed the substance;

17       10. "Deliver" or "delivery" means the actual, constructive or  
18 attempted transfer from one person to another of a controlled  
19 dangerous substance or drug paraphernalia, whether or not there is  
20 an agency relationship;

21       11. "Dispense" means to deliver a controlled dangerous  
22 substance to an ultimate user or human research subject by or  
23 pursuant to the lawful order of a practitioner, including the  
24 prescribing, administering, packaging, labeling or compounding

1 necessary to prepare the substance for such distribution.

2 "Dispenser" is a practitioner who delivers a controlled dangerous  
3 substance to an ultimate user or human research subject;

4 12. "Distribute" means to deliver other than by administering  
5 or dispensing a controlled dangerous substance;

6 13. "Distributor" means a commercial entity engaged in the  
7 distribution or reverse distribution of narcotics and dangerous  
8 drugs and who complies with all regulations promulgated by the  
9 federal Drug Enforcement Administration and the Oklahoma State  
10 Bureau of Narcotics and Dangerous Drugs Control;

11 14. "Drug" means articles:

- 12 a. recognized in the official United States ~~Pharmacopoeia~~  
13 Pharmacopeia, official Homeopathic Pharmacopoeia of  
14 the United States, or official National Formulary, or  
15 any supplement to any of them,  
16 b. intended for use in the diagnosis, cure, mitigation,  
17 treatment or prevention of disease in man or other  
18 animals,  
19 c. other than food, intended to affect the structure or  
20 any function of the body of man or other animals, and  
21 d. intended for use as a component of any article  
22 specified in this paragraph;

23 provided, however, the term "drug" does not include devices or their  
24 components, parts or accessories;

1        15. "Drug-dependent person" means a person who is using a  
2 controlled dangerous substance and who is in a state of psychic or  
3 physical dependence, or both, arising from administration of that  
4 controlled dangerous substance on a continuous basis. Drug  
5 dependence is characterized by behavioral and other responses which  
6 include a strong compulsion to take the substance on a continuous  
7 basis in order to experience its psychic effects, or to avoid the  
8 discomfort of its absence;

9        16. "Home care agency" means any sole proprietorship,  
10 partnership, association, corporation, or other organization which  
11 administers, offers, or provides home care services, for a fee or  
12 pursuant to a contract for such services, to clients in their place  
13 of residence;

14        17. "Home care services" means skilled or personal care  
15 services provided to clients in their place of residence for a fee;

16        18. "Hospice" means a centrally administered, nonprofit or  
17 ~~profit~~ for-profit, medically directed, nurse-coordinated program  
18 which provides a continuum of home and inpatient care for the  
19 terminally ill patient and the patient's family. Such term shall  
20 also include a centrally administered, nonprofit or ~~profit~~ for-  
21 profit, medically directed, nurse-coordinated program if such  
22 program is licensed pursuant to the provisions of the Uniform  
23 Controlled Dangerous Substances Act. A hospice program offers  
24 palliative and supportive care to meet the special needs arising out

1 of the physical, emotional and spiritual stresses which are  
2 experienced during the final stages of illness and during dying and  
3 bereavement. This care is available twenty-four (24) hours a day,  
4 seven (7) days a week, and is provided on the basis of need,  
5 regardless of ability to pay. "Class A" Hospice refers to Medicare  
6 certified hospices. "Class B" refers to all other providers of  
7 hospice services;

8 19. "Imitation controlled substance" means a substance that is  
9 not a controlled dangerous substance, which by dosage unit  
10 appearance, color, shape, size, markings or by representations made,  
11 would lead a reasonable person to believe that the substance is a  
12 controlled dangerous substance. In the event the appearance of the  
13 dosage unit is not reasonably sufficient to establish that the  
14 substance is an "imitation controlled substance", the court or  
15 authority concerned should consider, in addition to all other  
16 factors, the following factors as related to "representations made"  
17 in determining whether the substance is an "imitation controlled  
18 substance":

- 19 a. statements made by an owner or by any other person in  
20 control of the substance concerning the nature of the  
21 substance, or its use or effect,  
22 b. statements made to the recipient that the substance  
23 may be resold for inordinate profit,  
24

- c. whether the substance is packaged in a manner normally used for illicit controlled substances,
- d. evasive tactics or actions utilized by the owner or person in control of the substance to avoid detection by law enforcement authorities,
- e. prior convictions, if any, of an owner, or any other person in control of the object, under state or federal law related to controlled substances or fraud, and
- f. the proximity of the substances to controlled dangerous substances;

20. "Immediate precursor" means a substance which the Director has found to be and by regulation designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used, or likely to be used, in the manufacture of a controlled dangerous substance, the control of which is necessary to prevent, curtail or limit such manufacture;

21. "Laboratory" means a laboratory approved by the Director as proper to be entrusted with the custody of controlled dangerous substances and the use of controlled dangerous substances for scientific and medical purposes and for purposes of instruction;

22. "Manufacture" means the production, preparation, propagation, compounding or processing of a controlled dangerous substance, either directly or indirectly by extraction from

1 substances of natural or synthetic origin, or independently by means  
2 of chemical synthesis or by a combination of extraction and chemical  
3 synthesis. "Manufacturer" includes any person who packages,  
4 repackages or labels any container of any controlled dangerous  
5 substance, except practitioners who dispense or compound  
6 prescription orders for delivery to the ultimate consumer;

7 23. "Marijuana" means all parts of the plant *Cannabis sativa*  
8 L., whether growing or not; the seeds thereof; the resin extracted  
9 from any part of such plant; and every compound, manufacture, salt,  
10 derivative, mixture or preparation of such plant, its seeds or  
11 resin, but shall not include:

- 12 a. the mature stalks of such plant or fiber produced from  
13 such stalks,
- 14 b. oil or cake made from the seeds of such plant,  
15 including cannabidiol derived from the seeds of the  
16 marijuana plant,
- 17 c. any other compound, manufacture, salt, derivative,  
18 mixture or preparation of such mature stalks (except  
19 the resin extracted therefrom), including cannabidiol  
20 derived from mature stalks, fiber, oil or cake,
- 21 d. the sterilized seed of such plant which is incapable  
22 of germination,
- 23 e. for any person participating in a clinical trial to  
24 administer cannabidiol for the treatment of severe



1 forms of epilepsy pursuant to Section 2-802 of this  
2 title, a drug or substance approved by the federal  
3 Food and Drug Administration for use by those  
4 participants,

- 5 f. for any person or the parents, legal guardians or  
6 caretakers of the person who have received a written  
7 certification from a physician licensed in this state  
8 that the person has been diagnosed by a physician as  
9 having Lennox-Gastaut syndrome, Dravet syndrome, also  
10 known as severe myoclonic epilepsy of infancy, or any  
11 other severe form of epilepsy that is not adequately  
12 treated by traditional medical therapies, spasticity  
13 due to multiple sclerosis or due to paraplegia,  
14 intractable nausea and vomiting, appetite stimulation  
15 with chronic wasting diseases, the substance  
16 cannabidiol, a nonpsychoactive cannabinoid, found in  
17 the plant Cannabis sativa L. or any other preparation  
18 thereof, that has a tetrahydrocannabinol concentration  
19 of not more than three-tenths of one percent (0.3%)  
20 and that is delivered to the patient in the form of a  
21 liquid,
- 22 g. any federal FoodandDrugAdministration-approved  
23 ~~cannabidiol~~ drug or substance, or  
24

1           h.     industrial hemp, from the plant Cannabis sativa L. and  
2                 any part of such plant, whether growing or not, with a  
3                 delta-9 tetrahydrocannabinol concentration of not more  
4                 than three-tenths of one percent (0.3%) on a dry  
5                 weight basis which shall only be grown pursuant to the  
6                 Oklahoma Industrial Hemp Program and may be shipped  
7                 intrastate and interstate;

8           24.   "Medical purpose" means an intention to utilize a  
9                 controlled dangerous substance for physical or mental treatment, for  
10                diagnosis, or for the prevention of a disease condition not in  
11                violation of any state or federal law and not for the purpose of  
12                satisfying physiological or psychological dependence or other abuse;

13          25.   "Mid-level practitioner" means an Advanced Practice  
14                 Registered Nurse as defined and within parameters specified in  
15                 Section 567.3a of Title 59 of the Oklahoma Statutes, or a certified  
16                 animal euthanasia technician as defined in Section 698.2 of Title 59  
17                 of the Oklahoma Statutes, or an animal control officer registered by  
18                 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control  
19                 under subsection B of Section 2-301 of this title within the  
20                 parameters of such officer's ~~duty~~ duties under Sections 501 through  
21                 508 of Title 4 of the Oklahoma Statutes;

22          26.   "Narcotic drug" means any of the following, whether  
23                 produced directly or indirectly by extraction from substances of  
24

1 vegetable origin, or independently by means of chemical synthesis,  
2 or by a combination of extraction and chemical synthesis:

- 3 a. opium, coca leaves and opiates,
- 4 b. a compound, manufacture, salt, derivative or  
5 preparation of opium, coca leaves or opiates,
- 6 c. cocaine, its salts, optical and geometric isomers, and  
7 salts of isomers,
- 8 d. ecgonine, its derivatives, their salts, isomers and  
9 salts of isomers, and
- 10 e. a substance, and any compound, manufacture, salt,  
11 derivative or preparation thereof, which is chemically  
12 identical with any of the substances referred to in  
13 subparagraphs a through d of this paragraph, except  
14 that the words "narcotic drug" as used in Section 2-  
15 101 et seq. of this title shall not include  
16 decocainized coca leaves or extracts of coca leaves,  
17 which extracts do not contain cocaine or ecgonine;

18 27. "Opiate" or "opioid" means any Schedule II, III, IV or V  
19 substance having an addiction-forming or addiction-sustaining  
20 liability similar to morphine or being capable of conversion into a  
21 drug having such addiction-forming or addiction-sustaining  
22 liability. The terms do not include, unless specifically designated  
23 as controlled under the Uniform Controlled Dangerous Substances Act,  
24 the dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its

1 salts (dextromethorphan). The terms do include the racemic and  
2 levorotatory forms;

3 28. "Opium poppy" means the plant of the species *Papaver*  
4 *somniferum* L., except the seeds thereof;

5 29. "Peace officer" means a police officer, sheriff, deputy  
6 sheriff, district attorney's investigator, investigator from the  
7 Office of the Attorney General, or any other person elected or  
8 appointed by law to enforce any of the criminal laws of this state  
9 or of the United States;

10 30. "Person" means an individual, corporation, government or  
11 governmental subdivision or agency, business trust, estate, trust,  
12 partnership or association, or any other legal entity;

13 31. "Poppy straw" means all parts, except the seeds, of the  
14 opium poppy, after mowing;

15 32. "Practitioner" means:

- 16 a. (1) a medical doctor or osteopathic physician,  
17 (2) a dentist,  
18 (3) a podiatrist,  
19 (4) an optometrist,  
20 (5) a veterinarian,  
21 (6) a physician assistant or Advanced Practice  
22 Registered Nurse under the supervision of a  
23 licensed medical doctor or osteopathic physician,  
24 (7) a scientific investigator, or

1           (8) any other person,  
2           licensed, registered or otherwise permitted to  
3           prescribe, distribute, dispense, conduct research with  
4           respect to, use for scientific purposes or administer  
5           a controlled dangerous substance in the course of  
6           professional practice or research in this state, or  
7        b. a pharmacy, hospital, laboratory or other institution  
8           licensed, registered or otherwise permitted to  
9           distribute, dispense, conduct research with respect  
10          to, use for scientific purposes or administer a  
11          controlled dangerous substance in the course of  
12          professional practice or research in this state;

13        33. "Production" includes the manufacture, planting,  
14        cultivation, growing or harvesting of a controlled dangerous  
15        substance;

16        34. "State" means the State of Oklahoma or any other state of  
17        the United States;

18        35. "Ultimate user" means a person who lawfully possesses a  
19        controlled dangerous substance for the person's own use or for the  
20        use of a member of the person's household or for administration to  
21        an animal owned by the person or by a member of the person's  
22        household;

23        36. "Drug paraphernalia" means all equipment, products and  
24        materials of any kind which are used, intended for use, or fashioned

1 specifically for use in planting, propagating, cultivating, growing,  
2 harvesting, manufacturing, compounding, converting, producing,  
3 processing, preparing, testing, analyzing, packaging, repackaging,  
4 storing, containing, concealing, injecting, ingesting, inhaling or  
5 otherwise introducing into the human body, a controlled dangerous  
6 substance in violation of the Uniform Controlled Dangerous  
7 Substances Act including, but not limited to:

- 8       a.   kits used, intended for use, or fashioned specifically  
9           for use in planting, propagating, cultivating, growing  
10          or harvesting of any species of plant which is a  
11          controlled dangerous substance or from which a  
12          controlled dangerous substance can be derived,
- 13       b.   kits used, intended for use, or fashioned specifically  
14           for use in manufacturing, compounding, converting,  
15          producing, processing or preparing controlled  
16          dangerous substances,
- 17       c.   isomerization devices used, intended for use, or  
18           fashioned specifically for use in increasing the  
19          potency of any species of plant which is a controlled  
20          dangerous substance,
- 21       d.   testing equipment used, intended for use, or fashioned  
22           specifically for use in identifying, or in analyzing  
23          the strength, effectiveness or purity of controlled  
24          dangerous substances,

- 1 e. scales and balances used, intended for use, or  
2 fashioned specifically for use in weighing or  
3 measuring controlled dangerous substances,
- 4 f. diluents and adulterants, such as quinine  
5 hydrochloride, mannitol, mannite, dextrose and  
6 lactose, used, intended for use, or fashioned  
7 specifically for use in cutting controlled dangerous  
8 substances,
- 9 g. separation gins and sifters used, intended for use, or  
10 fashioned specifically for use in removing twigs and  
11 seeds from, or in otherwise cleaning or refining,  
12 marijuana,
- 13 h. blenders, bowls, containers, spoons and mixing devices  
14 used, intended for use, or fashioned specifically for  
15 use in compounding controlled dangerous substances,
- 16 i. capsules, balloons, envelopes and other containers  
17 used, intended for use, or fashioned specifically for  
18 use in packaging small quantities of controlled  
19 dangerous substances,
- 20 j. containers and other objects used, intended for use,  
21 or fashioned specifically for use in parenterally  
22 injecting controlled dangerous substances into the  
23 human body,  
24

- 1 k. hypodermic syringes, needles and other objects used,  
2 intended for use, or fashioned specifically for use in  
3 parenterally injecting controlled dangerous substances  
4 into the human body,
- 5 1. objects used, intended for use, or fashioned  
6 specifically for use in ingesting, inhaling or  
7 otherwise introducing marijuana, cocaine, hashish or  
8 hashish oil into the human body, such as:
- 9 (1) metal, wooden, acrylic, glass, stone, plastic or  
10 ceramic pipes with or without screens, permanent  
11 screens, hashish heads or punctured metal bowls,  
12 (2) water pipes,  
13 (3) carburetion tubes and devices,  
14 (4) smoking and carburetion masks,  
15 (5) roach clips, meaning objects used to hold burning  
16 material, such as a marijuana cigarette, that has  
17 become too small or too short to be held in the  
18 hand,  
19 (6) miniature cocaine spoons and cocaine vials,  
20 (7) chamber pipes,  
21 (8) carburetor pipes,  
22 (9) electric pipes,  
23 (10) air-driven pipes,  
24 (11) chillums,



- 1 (12) bongs, or  
2 (13) ice pipes or chillers,  
3 m. all hidden or novelty pipes, and  
4 n. any pipe that has a tobacco bowl or chamber of less  
5 than one-half (1/2) inch in diameter in which there is  
6 any detectable residue of any controlled dangerous  
7 substance as defined in this section or any other  
8 substances not legal for possession or use;

9 provided, however, the term "drug paraphernalia" shall not include  
10 separation gins intended for use in preparing tea or spice, clamps  
11 used for constructing electrical equipment, water pipes designed for  
12 ornamentation in which no detectable amount of an illegal substance  
13 is found or pipes designed and used solely for smoking tobacco,  
14 traditional pipes of an American Indian tribal religious ceremony,  
15 or antique pipes that are thirty (30) years of age or older;

16 37. a. "Synthetic controlled substance" means a substance:

- 17 (1) the chemical structure of which is substantially  
18 similar to the chemical structure of a controlled  
19 dangerous substance in Schedule I or II,  
20 (2) which has a stimulant, depressant, or  
21 hallucinogenic effect on the central nervous  
22 system that is substantially similar to or  
23 greater than the stimulant, depressant or  
24 hallucinogenic effect on the central nervous

1 system of a controlled dangerous substance in  
2 Schedule I or II, or

3 (3) with respect to a particular person, which such  
4 person represents or intends to have a stimulant,  
5 depressant, or hallucinogenic effect on the  
6 central nervous system that is substantially  
7 similar to or greater than the stimulant,  
8 depressant, or hallucinogenic effect on the  
9 central nervous system of a controlled dangerous  
10 substance in Schedule I or II.

11 b. The designation of gamma butyrolactone or any other  
12 chemical as a precursor, pursuant to Section 2-322 of  
13 this title, does not preclude a finding pursuant to  
14 subparagraph a of this paragraph that the chemical is  
15 a synthetic controlled substance.

16 c. "Synthetic controlled substance" does not include:

17 (1) a controlled dangerous substance,  
18 (2) any substance for which there is an approved new  
19 drug application,  
20 (3) with respect to a particular person any  
21 substance, if an exemption is in effect for  
22 investigational use, for that person under the  
23 provisions of Section 505 of the Federal Food,  
24 Drug and Cosmetic Act, Title 21 of the United

1 States Code, Section 355, to the extent conduct  
2 with respect to such substance is pursuant to  
3 such exemption, or

4 (4) any substance to the extent not intended for  
5 human consumption before such an exemption takes  
6 effect with respect to that substance.

7 d. Prima facie evidence that a substance containing  
8 salvia divinorum has been enhanced, concentrated or  
9 chemically or physically altered shall give rise to a  
10 rebuttable presumption that the substance is a  
11 synthetic controlled substance;

12 38. "Tetrahydrocannabinols" means all substances that have been  
13 chemically synthesized to emulate the tetrahydrocannabinols of  
14 marijuana;

15 39. "Isomer" means the optical isomer, except as used in  
16 subsections C and F of Section 2-204 of this title and paragraph 4  
17 of subsection A of Section 2-206 of this title. As used in  
18 subsections C and F of Section 2-204 of this title, "isomer" means  
19 the optical, positional or geometric isomer. As used in paragraph 4  
20 of subsection A of Section 2-206 of this title, the term "isomer"  
21 means the optical or geometric isomer;

22 40. "Hazardous materials" means materials, whether solid,  
23 liquid or gas, which are toxic to human, animal, aquatic or plant  
24

1 life, and the disposal of which materials is controlled by state or  
2 federal guidelines;

3 41. "Anhydrous ammonia" means any substance that exhibits  
4 cryogenic evaporative behavior and tests positive for ammonia;

5 42. "Acute pain" means pain, whether resulting from disease,  
6 accidental or intentional trauma or other cause, that the  
7 practitioner reasonably expects to last only a short period of time.  
8 "Acute pain" does not include chronic pain, pain being treated as  
9 part of cancer care, hospice or other end-of-life care, or pain  
10 being treated as part of palliative care;

11 43. "Chronic pain" means pain that persists beyond the usual  
12 course of an acute disease or healing of an injury. "Chronic pain"  
13 may or may not be associated with an acute or chronic pathologic  
14 process that causes continuous or intermittent pain over months or  
15 years;

16 44. "Initial prescription" means a prescription issued to a  
17 patient who:

- 18 a. has never previously been issued a prescription for  
19 the drug or its pharmaceutical equivalent in the past  
20 year, or  
21 b. requires a prescription for the drug or its  
22 pharmaceutical equivalent due to a surgical procedure  
23 or new acute event and has previously had a  
24

1 prescription for the drug or its pharmaceutical  
2 equivalent within the past year.

3 When determining whether a patient was previously issued a  
4 prescription for a drug or its pharmaceutical equivalent, the  
5 practitioner shall consult with the patient and review the medical  
6 record and prescription monitoring information of the patient;

7 45. "Patient-provider agreement" means a written contract or  
8 agreement that is executed between a practitioner and a patient,  
9 prior to the commencement of treatment for chronic pain using an  
10 opioid drug as a means to:

- 11 a. explain the possible risk of development of physical  
12 or psychological dependence in the patient and prevent  
13 the possible development of addiction,
- 14 b. document the understanding of both the practitioner  
15 and the patient regarding the patient-provider  
16 agreement of the patient,
- 17 c. establish the rights of the patient in association  
18 with treatment and the obligations of the patient in  
19 relation to the responsible use, discontinuation of  
20 use, and storage of opioid drugs, including any  
21 restrictions on the refill of prescriptions or the  
22 acceptance of opioid prescriptions from practitioners,
- 23 d. identify the specific medications and other modes of  
24 treatment, including physical therapy or exercise,

- 1 relaxation or psychological counseling, that are  
2 included as a part of the patient-provider agreement,  
3 e. specify the measures the practitioner may employ to  
4 monitor the compliance of the patient including, but  
5 not limited to, random specimen screens and pill  
6 counts, and  
7 f. delineate the process for terminating the agreement,  
8 including the consequences if the practitioner has  
9 reason to believe that the patient is not complying  
10 with the terms of the agreement. Compliance with the  
11 "consent items" shall constitute a valid, informed  
12 consent for opioid therapy. The practitioner shall be  
13 held harmless from civil litigation for failure to  
14 treat pain if the event occurs because of nonadherence  
15 by the patient with any of the provisions of the  
16 patient-provider agreement;

17 46. "Serious illness" means a medical illness or physical  
18 injury or condition that substantially affects quality of life for  
19 more than a short period of time. "Serious illness" includes, but  
20 is not limited to, Alzheimer's disease or related dementias, lung  
21 disease, cancer, heart failure, renal failure, liver failure or  
22 chronic, unremitting or intractable pain such as neuropathic pain;  
23 and  
24

1        47. "Surgical procedure" means a procedure that is performed  
2 for the purpose of structurally altering the human body by incision  
3 or destruction of tissues as part of the practice of medicine. This  
4 term includes the diagnostic or therapeutic treatment of conditions  
5 or disease processes by use of instruments such as lasers,  
6 ultrasound, ionizing, radiation, scalpels, probes or needles that  
7 cause localized alteration or transportation of live human tissue by  
8 cutting, burning, vaporizing, freezing, suturing, probing or  
9 manipulating by closed reduction for major dislocations or  
10 fractures, or otherwise altering by any mechanical, thermal, light-  
11 based, electromagnetic or chemical means.

12        SECTION 2.        AMENDATORY        63 O.S. 2011, Section 2-204, as  
13 last amended by Section 1, Chapter 207, O.S.L. 2019 (63 O.S. Supp.  
14 2020, Section 2-204), is amended to read as follows:

15        Section 2-204. The controlled substances listed in this section  
16 are included in Schedule I and include any material, compound,  
17 mixture or preparation that contains any quantity of the following  
18 hallucinogenic substances, their salts, isomers and salts of  
19 isomers, unless specifically excepted, when the existence of these  
20 salts, isomers and salts of isomers is possible within the specific  
21 chemical designation.

22        A. Any of the following opiates, including their isomers,  
23 esters, ethers, salts, and salts of isomers, esters, and ethers,  
24 unless specifically excepted, when the existence of these isomers,

1 esters, ethers, and salts is possible within the specific chemical  
2 designation:

- 3 1. Acetylmethadol;
- 4 2. Allylprodine;
- 5 3. Alphacetylmethadol;
- 6 4. Alphameprodine;
- 7 5. Alphamethadol;
- 8 6. Benzethidine;
- 9 7. Betacetylmethadol;
- 10 8. Betameprodine;
- 11 9. Betamethadol;
- 12 10. Betaprodine;
- 13 11. Clonitazene;
- 14 12. Dextromoramide;
- 15 13. Dextrorphan (except its methyl ether);
- 16 14. Diampromide;
- 17 15. Diethylthiambutene;
- 18 16. Dimenoxadol;
- 19 17. Dimepheptanol;
- 20 18. Dimethylthiambutene;
- 21 19. Dioxaphetyl butyrate;
- 22 20. Dipipanone;
- 23 21. Ethylmethylthiambutene;
- 24 22. Etonitazene;



23. Etoxeridine;
24. Furethidine;
25. Hydroxypethidine;
26. Ketobemidone;
27. Levomoramide;
28. Levophenacymorphan;
29. Morpheridine;
30. Noracymethadol;
31. Norlevorphanol;
32. Normethadone;
33. Norpipanone;
34. Phenadoxone;
35. Phenampromide;
36. Phenomorphan;
37. Phenoperidine;
38. Piritramide;
39. Proheptazine;
40. Properidine;
41. Racemoramide; or
42. Trimeperidine.

B. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- 1 1. Acetorphine;
- 2 2. Acetyldihydrocodeine;
- 3 3. Benzylmorphine;
- 4 4. Codeine methylbromide;
- 5 5. Codeine-N-Oxide;
- 6 6. Cyprenorphine;
- 7 7. Desomorphine;
- 8 8. Dihydromorphine;
- 9 9. Etorphine;
- 10 10. Heroin;
- 11 11. Hydromorphenol;
- 12 12. Methyldesorphine;
- 13 13. Methylhydromorphine;
- 14 14. Morphine methylbromide;
- 15 15. Morphine methylsulfonate;
- 16 16. Morphine-N-Oxide;
- 17 17. Myrophine;
- 18 18. Nicocodeine;
- 19 19. Nicomorphine;
- 20 20. Normorphine;
- 21 21. Phoclodine;
- 22 22. Thebacon;
- 23 23. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-acetamide
- 24 (Acetyl fentanyl);

24. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-butenamide  
(Crotonyl fentanyl);

25. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-  
furancarboxamide (Furanyl fentanyl);

26. N-phenyl-1-(2-phenylethyl)-4-piperidinamine (4-ANPP);

27. N-(1-phenethylpiperidin-4-yl)-N-  
phenylcyclopropanecarboxamide (Cyclopropyl fentanyl); or

28. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide  
(Butyrl fentanyl).

C. Any material, compound, mixture, or preparation which  
contains any quantity of the following hallucinogenic substances,  
their salts, isomers, and salts of isomers, unless specifically  
excepted, when the existence of these salts, isomers, and salts of  
isomers is possible within the specific chemical designation:

1. Methcathinone;

2. 3, 4-methylenedioxy amphetamine;

3. 3, 4-methylenedioxy methamphetamine;

4. 5-methoxy-3, 4-methylenedioxy amphetamine;

5. 3, 4, 5-trimethoxy amphetamine;

6. Bufotenine;

7. Diethyltryptamine;

8. Dimethyltryptamine;

9. 4-methyl-2, 5-dimethoxyamphetamine;

10. Ibogaine;

- 1 11. Lysergic acid diethylamide;
- 2 12. Marihuana;
- 3 13. Mescaline;
- 4 14. N-benzylpiperazine;
- 5 15. N-ethyl-3-piperidyl benzilate;
- 6 16. N-methyl-3-piperidyl benzilate;
- 7 17. Psilocybin;
- 8 18. Psilocyn;
- 9 19. 2, 5 dimethoxyamphetamine;
- 10 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 11 21. 4 methoxyamphetamine;
- 12 22. Cyclohexamine;
- 13 23. Salvia Divinorum;
- 14 24. Salvinorin A;
- 15 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-
- 16 thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine;
- 17 TCP, TCP;
- 18 26. Phencyclidine (PCP);
- 19 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-
- 20 Phenylcyclohexyl) - Pyrrolidine, PCPy, PHP;
- 21 28. 1-(3-trifluoromethylphenyl) piperazine;
- 22 29. Flunitrazepam;
- 23 30. B-hydroxy-amphetamine;
- 24 31. B-ketoamphetamine;

- 1 32. 2,5-dimethoxy-4-nitroamphetamine;
- 2 33. 2,5-dimethoxy-4-bromophenethylamine;
- 3 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 4 35. 2,5-dimethoxy-4-iodoamphetamine;
- 5 36. 2,5-dimethoxy-4-iodophenethylamine;
- 6 37. 2,5-dimethoxy-4-methylphenethylamine;
- 7 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 8 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 9 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 10 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 11 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;
- 12 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 13 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 14 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 15 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 16 47. 5-methoxy-N, N-dimethyltryptamine;
- 17 48. N-methyltryptamine;
- 18 49. A-ethyltryptamine;
- 19 50. A-methyltryptamine;
- 20 51. N, N-diethyltryptamine;
- 21 52. N, N-diisopropyltryptamine;
- 22 53. N, N-dipropyltryptamine;
- 23 54. 5-methoxy-a-methyltryptamine;
- 24 55. 4-hydroxy-N, N-diethyltryptamine;

- 1 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 2 57. 5-methoxy-N, N-diisopropyltryptamine;
- 3 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 4 59. 3,4-Methylenedioxy-methcathinone (Mephylone);
- 5 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 6 61. 4-Methylmethcathinone (Mephedrone);
- 7 62. 4-methoxymethcathinone;
- 8 63. 4-Fluoromethcathinone;
- 9 64. 3-Fluoromethcathinone;
- 10 65. 1-(8-bromobenzo 1,2-b;4,5-b' difuran-4-yl)-2-aminopropane;
- 11 66. 2,5-Dimethoxy-4-chloroamphetamine;
- 12 67. 4-Methylethcathinone;
- 13 68. Pyrovalerone;
- 14 69. N,N-diallyl-5-methoxytryptamine;
- 15 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 16 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone);
- 17 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone);
- 18 73. Alpha-Pyrrolidinopentiophenone;
- 19 74. 4-Fluoroamphetamine;
- 20 75. Pentedrone;
- 21 76. 4'-Methyl-a-pyrrolidinohexaphenone;
- 22 77. 2,5-dimethoxy-4-(n)-propylphenethylamine;
- 23 78. 2,5-dimethoxyphenethylamine;
- 24 79. 1,4-Dibenzylpiperazine;

- 1 80. N,N-Dimethylamphetamine;
- 2 81. 4-Fluoromethamphetamine;
- 3 82. 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 4 (25C-NBOMe);
- 5 83. 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 6 (25I-NBOMe);
- 7 84. 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzy)phenethylamine
- 8 (25B-NBOMe);
- 9 85. 1-(4-Fluorophenyl)piperazine;
- 10 86. Methoxetamine;
- 11 87. 3,4-dichloro-N[2-dimethylamino)cyclohexyl]-N-
- 12 methylbenzamide;
- 13 88. N-ethyl hexadrone;
- 14 89. Isopropyl-U-47700;
- 15 90. Para-fluorobutyrl fentanyl;
- 16 91. Fluoro isobutryrl fentanyl;
- 17 92. 3-Hydroxy Phencyclidine (PCP); or
- 18 93. 3-methoxy Phencyclidine (PCP).
- 19 D. Unless specifically excepted or unless listed in a different
- 20 schedule, any material, compound, mixture, or preparation which
- 21 contains any quantity of the following substances having stimulant
- 22 or depressant effect on the central nervous system:
- 23 1. Fenethylamine;
- 24 2. Mecloqualone;

1        3. N-ethylamphetamine;

2        4. Methaqualone;

3        5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-  
4 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium  
5 oxybate, and sodium oxybutyrate;

6        6. Gamma-Butyrolactone (GBL) as packaged, marketed,  
7 manufactured or promoted for human consumption, with the exception  
8 of legitimate food additive and manufacturing purposes;

9        7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or  
10 manufactured for human consumption, with the exception of legitimate  
11 food additive and manufacturing purposes;

12       8. Gamma Valerolactone (GVL) as packaged, marketed, or  
13 manufactured for human consumption, with the exception of legitimate  
14 food additive and manufacturing purposes;

15       9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed,  
16 manufactured, or promoted for human consumption with the exception  
17 of legitimate manufacturing purposes; or

18       10. N-ethylpentylone.

19       E. 1. The following industrial uses of Gamma-Butyrolactone,  
20 Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are  
21 excluded from all schedules of controlled substances under this  
22 title:

23           a. pesticides,

24           b. photochemical etching,



- c. electrolytes of small batteries or capacitors,
- d. viscosity modifiers in polyurethane,
- e. surface etching of metal coated plastics,
- f. organic paint disbursements for water soluble inks,
- g. pH regulators in the dyeing of wool and polyamide fibers,
- h. foundry chemistry as a catalyst during curing,
- i. curing agents in many coating systems based on urethanes and amides,
- j. additives and flavoring agents in food, confectionary, and beverage products,
- k. synthetic fiber and clothing production,
- l. tetrahydrofuran production,
- m. gamma butyrolactone production,
- n. polybutylene terephthalate resin production,
- o. polyester raw materials for polyurethane elastomers and foams,
- p. coating resin raw material, and
- q. as an intermediate in the manufacture of other chemicals and pharmaceuticals.

2. At the request of any person, the Director may exempt any other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol from being included as a Schedule I controlled substance if such product is labeled,

1 marketed, manufactured and distributed for legitimate industrial use  
2 in a manner that reduces or eliminates the likelihood of abuse.

3 3. In making a determination regarding an industrial product,  
4 the Director, after notice and hearing, shall consider the  
5 following:

- 6 a. the history and current pattern of abuse,
- 7 b. the name and labeling of the product,
- 8 c. the intended manner of distribution, advertising and  
9 promotion of the product, and
- 10 d. other factors as may be relevant to and consistent  
11 with the public health and safety.

12 4. The hearing shall be held in accordance with the procedures  
13 of the Administrative Procedures Act.

14 F. Any material, compound, mixture, or preparation, whether  
15 produced directly or indirectly from a substance of vegetable origin  
16 or independently by means of chemical synthesis, or by a combination  
17 of extraction and chemical synthesis, that contains any quantity of  
18 the following substances, or that contains any of their salts,  
19 isomers, and salts of isomers when the existence of these salts,  
20 isomers, and salts of isomers is possible within the specific  
21 chemical designation:

- 22 1. JWH-004;
- 23 2. JWH-007;
- 24 3. JWH-009;

1	4.	JWH-015;
2	5.	JWH-016;
3	6.	JWH-018;
4	7.	JWH-019;
5	8.	JWH-020;
6	9.	JWH-030;
7	10.	JWH-046;
8	11.	JWH-047;
9	12.	JWH-048;
10	13.	JWH-049;
11	14.	JWH-050;
12	15.	JWH-070;
13	16.	JWH-071;
14	17.	JWH-072;
15	18.	JWH-073;
16	19.	JWH-076;
17	20.	JWH-079;
18	21.	JWH-080;
19	22.	JWH-081;
20	23.	JWH-082;
21	24.	JWH-094;
22	25.	JWH-096;
23	26.	JWH-098;
24	27.	JWH-116;

1	28.	JWH-120;
2	29.	JWH-122;
3	30.	JWH-145;
4	31.	JWH-146;
5	32.	JWH-147;
6	33.	JWH-148;
7	34.	JWH-149;
8	35.	JWH-150;
9	36.	JWH-156;
10	37.	JWH-167;
11	38.	JWH-175;
12	39.	JWH-180;
13	40.	JWH-181;
14	41.	JWH-182;
15	42.	JWH-184;
16	43.	JWH-185;
17	44.	JWH-189;
18	45.	JWH-192;
19	46.	JWH-193;
20	47.	JWH-194;
21	48.	JWH-195;
22	49.	JWH-196;
23	50.	JWH-197;
24	51.	JWH-198;

1	52.	JWH-199;
2	53.	JWH-200;
3	54.	JWH-201;
4	55.	JWH-202;
5	56.	JWH-203;
6	57.	JWH-204;
7	58.	JWH-205;
8	59.	JWH-206;
9	60.	JWH-207;
10	61.	JWH-208;
11	62.	JWH-209;
12	63.	JWH-210;
13	64.	JWH-211;
14	65.	JWH-212;
15	66.	JWH-213;
16	67.	JWH-234;
17	68.	JWH-235;
18	69.	JWH-236;
19	70.	JWH-237;
20	71.	JWH-239;
21	72.	JWH-240;
22	73.	JWH-241;
23	74.	JWH-242;
24	75.	JWH-243;

1	76.	JWH-244;
2	77.	JWH-245;
3	78.	JWH-246;
4	79.	JWH-248;
5	80.	JWH-249;
6	81.	JWH-250;
7	82.	JWH-251;
8	83.	JWH-252;
9	84.	JWH-253;
10	85.	JWH-262;
11	86.	JWH-292;
12	87.	JWH-293;
13	88.	JWH-302;
14	89.	JWH-303;
15	90.	JWH-304;
16	91.	JWH-305;
17	92.	JWH-306;
18	93.	JWH-307;
19	94.	JWH-308;
20	95.	JWH-311;
21	96.	JWH-312;
22	97.	JWH-313;
23	98.	JWH-314;
24	99.	JWH-315;

1	100.	JWH-316;
2	101.	JWH-346;
3	102.	JWH-348;
4	103.	JWH-363;
5	104.	JWH-364;
6	105.	JWH-365;
7	106.	JWH-367;
8	107.	JWH-368;
9	108.	JWH-369;
10	109.	JWH-370;
11	110.	JWH-371;
12	111.	JWH-373;
13	112.	JWH-386;
14	113.	JWH-387;
15	114.	JWH-392;
16	115.	JWH-394;
17	116.	JWH-395;
18	117.	JWH-397;
19	118.	JWH-398;
20	119.	JWH-399;
21	120.	JWH-400;
22	121.	JWH-412;
23	122.	JWH-413;
24	123.	JWH-414;

- 1 124. JWH-415;
- 2 125. CP-55, 940;
- 3 126. CP-47, 497;
- 4 127. HU-210;
- 5 128. HU-211;
- 6 129. WIN-55, 212-2;
- 7 130. AM-2201;
- 8 131. AM-2233;
- 9 132. JWH-018 adamantyl-carboxamide;
- 10 133. AKB48;
- 11 134. JWH-122 N-(4-pentenyl) analog;
- 12 135. MAM2201;
- 13 136. URB597;
- 14 137. URB602;
- 15 138. URB754;
- 16 139. UR144;
- 17 140. XLR11;
- 18 141. A-796,260;
- 19 142. STS-135;
- 20 143. AB-FUBINACA;
- 21 144. AB-PINACA;
- 22 145. PB-22;
- 23 146. AKB48 N-5-Fluoropentyl;
- 24 147. AM1248;



1 148. FUB-PB-22;

2 149. ADB-FUBINACA;

3 150. BB-22;

4 151. 5-Fluoro PB-22; or

5 152. 5-Fluoro AKB-48.

6 G. In addition to those substances listed in subsection F of  
7 this section, unless specifically excepted or unless listed in  
8 another schedule, any material, compound, mixture, or preparation  
9 which contains any quantity of a synthetic cannabinoid found to be  
10 in any of the following chemical groups:

11 1. Naphthoylindoles: any compound containing a 3-(1-  
12 naphthoyl)indole structure with or without substitution at the  
13 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,  
14 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-  
15 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-  
16 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,  
17 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or  
18 halophenyl group, whether or not further substituted on the indole  
19 ring to any extent, and whether or not substituted on the naphthyl  
20 ring to any extent. Naphthoylindoles include, but are not limited  
21 to:

22 a. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-  
23 200),

24 b. 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201),

- c. 1-pentyl-3-(1-naphthoyl)indole (JWH-018),
- d. 1-butyl-3-(1-naphthoyl)indole (JWH-073),
- e. 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081),
- f. 1-propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015),
- g. 1-hexyl-3-(1-naphthoyl)indole (JWH-019),
- h. 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122),
- i. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210),
- j. 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398),
- k. 1-pentyl-2-methyl-3-(1-naphthoyl)indole (JWH-007),
- l. 1-pentyl-3-(7-methoxy-1-naphthoyl)indole (JWH-164),
- m. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole  
(JWH-098),
- n. 1-pentyl-3-(4-fluoro-1-naphthoyl)indole (JWH-412),
- o. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-naphthoyl)indole (AM-1220),
- p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole  
(MAM-2201), or
- q. 1-(4-cyanobutyl)-3-(1-naphthoyl)indole (AM-2232);

2. Naphthylmethylindoles: any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,

(tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted on the indole ring to any extent, and whether or not substituted on the naphthyl ring to any extent. Naphthylmethylindoles include, but are not limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175);

3. Naphthoylpyrroles: any compound containing a 3-(1-naphthoyl)pyrrole structure with or without substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted on the pyrrole ring to any extent, and whether or not substituted on the naphthyl group to any extent. Naphthoylpyrroles include, but are not limited to:

- a. 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147),
- b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole (JWH-370),
- c. 1-pentyl-3-(1-naphthoyl)pyrrole (JWH-030), or
- d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole (JWH-147);

4. Naphthylideneindenes: any compound containing a 1-(1-naphthylmethylene)indene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl,

1 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,  
2 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-  
3 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
4 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,  
5 phenyl, or halophenyl group, whether or not further substituted on  
6 the indene group to any extent, and whether or not substituted on  
7 the naphthyl group to any extent. Naphthylmethylindenes include,  
8 but are not limited to, (1-[(3-pentyl)-1H-inden-1-  
9 ylidene)methyl]naphthalene (JWH-176);

10 5. Phenylacetylindoles: any compound containing a 3-  
11 phenylacetylindole structure with or without substitution at the  
12 nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl,  
13 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-  
14 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-  
15 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,  
16 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or  
17 halophenyl group, whether or not further substituted on the indole  
18 ring to any extent, and whether or not substituted on the phenyl  
19 ring to any extent. Phenylacetylindoles include, but are not  
20 limited to:

- 21 a. 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250),
- 22 b. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole  
23 (RCS-8),
- 24 c. 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203),

d. 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251),

e. 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201), or

f. 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302);

6. Cyclohexylphenols: any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with or without substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, and whether or not further substituted on the cyclohexyl ring to any extent. Cyclohexylphenols include, but are not limited to:

a. 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-

hydroxycyclohexyl]-phenol (CP-47,497),

b. 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-

phenol (cannabicyclohexanol; CP-47,497 C8 homologue),

or

c. 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-

hydroxypropyl)cyclohexyl]-phenol (CP 55, 940);

7. Benzoylindoles: any compound containing a 3-(benzoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-

2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted on the indole ring to any extent, and whether or not substituted on the phenyl group to any extent. Benzoylindoles include, but are not limited to:

- a. 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4),
- b. 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098),
- c. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694),
- d. 1-pentyl-3-(2-iodobenzoyl)indole (AM-679), or
- e. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-iodobenzoyl)indole (AM-2233);

8. Cyclopropoylindoles: Any compound containing a 3-(cyclopropoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the

cyclopropoyl ring to any extent. Cyclopropoylindoles include, but are not limited to:

- a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole (UR-144),
- b. 1-(5-chloropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (5Cl-UR-144), or
- c. 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11);

9. Indole Amides: Any compound containing a 1H-Indole-3-carboxamide structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not substituted at the carboxamide group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole Amides include, but are not limited to:

- a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide  
(2NE1),
- b. N-(1-adamantyl)-1-(5-fluoropentyl)-1H-indole-3-  
carboxamide (STS-135),
- c. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-  
indole-3-carboxamide (ADBICA),
- d. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-  
fluoropentyl)-1H-indole-3-carboxamide (5F-ADBICA),
- e. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide  
(NNE1),
- f. 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-  
carboxamide (5F-NNE1),
- g. N-benzyl-1-pentyl-1H-indole-3-carboxamide (SDB-006),  
or
- h. N-benzyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide  
(5F-SDB-006);

10. Indole Esters: Any compound containing a 1H-Indole-3-  
carboxylate structure with or without substitution at the nitrogen  
atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,  
cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-  
2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,  
(tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or  
halophenyl group, whether or not substituted at the carboxylate



group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole Esters include, but are not limited to:

- a. quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22),
- b. quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22),
- c. quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate (BB-22),
- d. naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FDU-PB-22), or
- e. naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (NM2201);

11. Adamantanoylindoles: Any compound containing an adamantanyl-(1H-indol-3-yl)methanone structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,

phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Adamantanoylindoles include, but are not limited to:

- a. adamantan-1-yl[1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]methanone (AM1248), or
- b. adamantan-1-yl-(1-pentyl-1H-indol-3-yl)methanone (AB-001);

12. Carbazole Ketone: Any compound containing (9H-carbazole-3-yl) methanone structure with or without substitution at the nitrogen atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, with substitution at the carbon of the methanone group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted at the carbazole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole Ketones include, but are not limited to, naphthalen-1-yl(9-pentyl-9H-carbazol-3-yl)methanone (EG-018);

1        13. Benzimidazole Ketone: Any compound containing  
2 (benzimidazole-2-yl) methanone structure with or without  
3 substitution at either nitrogen atom of the benzimidazole ring by an  
4 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,  
5 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-  
6 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
7 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,  
8 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or  
9 halophenyl group, with substitution at the carbon of the methanone  
10 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,  
11 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-  
12 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-  
13 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not  
14 further substituted in the benzimidazole, adamantyl, naphthyl,  
15 phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent.  
16 Benzimidazole Ketones include, but are not limited to:

- 17            a. naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-  
18                            1)methanone (JWH-018 benzimidazole analog), or
- 19            b. (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-  
20                            yl) (naphthalen-1-yl)methanone (FUBIMINA); and

21        14. Modified by Replacement: any compound defined in this  
22 subsection that is modified by replacement of a carbon with nitrogen  
23 in the indole, naphthyl, indene, benzimidazole, or carbazole ring.

1        H. Any prescription drug approved by the federal Food and Drug  
2 Administration under the provisions of Section 505 of the Federal  
3 Food, Drug and Cosmetic Act, Title 21 of the United States Code,  
4 Section 355, that is designated, rescheduled or deleted as a  
5 controlled substance under federal law by the United States Drug  
6 Enforcement Administration shall be excluded from Schedule I and  
7 shall be prescribed, distributed, dispensed or used in accordance  
8 with federal law upon the issuance of a notice, final rule or  
9 interim final rule by the United States Drug Enforcement  
10 Administration designating, rescheduling or deleting as a controlled  
11 substance such a drug product under federal law, unless and until  
12 the Board of Pharmacy takes action pursuant to Section 2-201 of this  
13 title. If the Board of Pharmacy does not take action pursuant to  
14 Section 2-201 of this title, the drug product shall be deemed to be  
15 designated, rescheduled or deleted as a controlled substance in  
16 accordance with federal law and in compliance with the Uniform  
17 Controlled Dangerous Substances Act.

18        SECTION 3. This act shall become effective November 1, 2021.

20        COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/16/2021 -  
21        DO PASS.