

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 54.1-3450 and 54.1-3452 of the Code of Virginia, relating to Schedule III and Schedule IV drugs.

[H 575]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3450 and 54.1-3452 of the Code of Virginia are amended and reenacted as follows: § 54.1-3450. Schedule III.

The controlled substances listed in this section are included in Schedule III:

1. Unless specifically exempted or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

Any compound, mixture or preparation containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and one or more other active medicinal ingredients which are not listed in Schedules II through V;

Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and approved by the Food and Drug Administration for marketing only as a suppository;

Chlorhexadol;

Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 355);

Embutramide;

Ketamine, its salts, isomers, and salts of isomers (some other names: [+]-2-[2-chlorophenyl]-2-[methylamino]-cyclohexanone);

Lysergic acid;

Lysergic acid amide;

Methyprylon;

Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl) benxonitrile], including its salts, isomers, and salts of isomers;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

Tiletamine - zolazepam combination product or any salt thereof.

2. Nalorphine.

3. Unless specifically excepted or unless listed in another schedule:

a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts thereof:

Buprenorphine.

b. Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized

ENROLLED

HB575ER

therapeutic amounts;

Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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

Benzphetamine;

Chlorphentermine;

Clortermine;

Phendimetrazine.

5. The Board may except by regulation any compound, mixture, or preparation containing any stimulation or depressant substance listed in subsection A from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:

Anabolic steroids, including, but not limited to:

3beta,17-dihydroxy-5a-androstane;

3alpha,17beta-dihydroxy-5a-androstane;

5alpha-androstan-3,17-dione;

1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);

1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);

4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);

5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);

1-androstenedione ([5alpha]-androst-1-en-3,17-dione);

4-androstenedione (androst-4-en-3,17-dione);

5-androstenedione (androst-5-en-3,17-dione);

Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

Boldenone (Dehydrotestosterone)(17beta-hydroxyandrost-1,4,-diene-3-one);

Boldione (androsta-1, 4-diene-3, 17-dione);

Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

Clostebol (4-Chlorotestosterone)(Chlorotestosterone)(4-chloro-17beta-hydroxyandrost-4-en -3-one);

Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);

Delta1-dihydrotestosterone (1-testosterone)(17beta-hydroxy-5alpha-androst-1-en-3-one);

Desoxymethyltestosterone (madol)(17alpha-methyl-5alpha-androst-2-en-17beta-ol);

Dromostanolone (Drostanolone)(17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);

Formyldienolone (Formebolone)(2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-dien-3-one);

Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);

13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;

4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);

Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

Methandriol (methylandrostenediol)(17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);

Methandrostenolone (Methandienone) (Dehydromethyltestosterone) (17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);

Methasterone (2alpha,17alpha-dimethyl-5alpha-androstan-17beta-ol-3-one);

- 118 Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
 119 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
 120 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
 121 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);
 122 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
 123 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
 124 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);
 125 17-Methyltestosterone (Methyltestosterone)(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
 126 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
 127 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)
 128 (17-alpha-methyl-1-testosterone);
 129 Nandrolone (19-Nortestosterone)(17beta-hydroxyestr-4-en-3-one);
 130 19-nor-4, 9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
 131 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
 132 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
 133 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
 134 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);
 135 19-nor-4-androstenedione (estr-4-en-3,17-dione);
 136 19-nor-5-androstenedione (estr-5-en-3,17-dione);
 137 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
 138 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
 139 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
 140 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
 141 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
 142 Oxymesterone (Oxymestron)(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);
 143 Oxymetholone (Anasterone)(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androst
 144 an-3-one);
 145 Prostanazol (17beta-hydroxy-5alpha-androstano[3,2-c]pyrazole);
 146 Stanolone (4-Dihydrotestosterone)(Dihydrotestosterone)(17beta-hydroxy-and rostan-3-one);
 147 Stanazolol (Androstanazole)(17alpha-methyl-17beta-hydroxy-[5alpha]-androst -2-eno[3,2-c]-pyrazole);
 148 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);
 149 Testolactone (1-Dehydrotestololactone)(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
 150 lactone);
 151 Testosterone (17beta-hydroxandrost-4-en-3-one);
 152 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
 153 Trenbolone (Trienbolone)(Trienolone)(17beta-hydroxyestr-4,9,11-trien-3-one); and
 154 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such
 155 term does not include an anabolic steroid which is expressly intended for administration through
 156 implants to cattle or other nonhuman species and which has been approved by the United States
 157 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or
 158 distributes any such steroid for human use, such person shall be considered to have prescribed,
 159 dispensed, or distributed an anabolic steroid within the meaning of this subsection.

160 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product
 161 approved by the U.S. Food and Drug Administration.

162 **§ 54.1-3452. Schedule IV.**

163 The controlled substances listed in this section are included in Schedule IV unless specifically
 164 excepted or listed in another schedule:

165 1. Any material, compound, mixture, or preparation which contains any quantity of the following
 166 substances having a potential for abuse associated with a depressant effect on the central nervous
 167 system:

- 168 Alprazolam;
 169 Barbitol;
 170 Bromazepam;
 171 Camazepam;
 172 Carisoprodol;
 173 Chloral betaine;
 174 Chloral hydrate;
 175 Chlordiazepoxide;
 176 Clobazam;
 177 Clonazepam;
 178 Clorazepate;

179 Clotiazepam;
 180 Cloxazolam;
 181 Delorazepam;
 182 Diazepam;
 183 Dichloralphenazone;
 184 Estazolam;
 185 Ethchlorvynol;
 186 Ethinamate;
 187 Ethyl loflazepate;
 188 Fludiazepam;
 189 Flunitrazepam;
 190 Flurazepam;
 191 Fospropofol;
 192 Halazepam;
 193 Haloxazolam;
 194 Ketazolam;
 195 Loprazolam;
 196 Lorazepam;
 197 Lormetazepam;
 198 Mebutamate;
 199 Medazepam;
 200 Methohexital;
 201 Meprobamate;
 202 Methylphenobarbital;
 203 Midazolam;
 204 Nimetazepam;
 205 Nitrazepam;
 206 Nordiazepam;
 207 Oxazepam;
 208 Oxazolam;
 209 Paraldehyde;
 210 Petrichloral;
 211 Phenobarbital;
 212 Pinazepam;
 213 Prazepam;
 214 Quazepam;
 215 Temazepam;
 216 Tetrazepam;
 217 Triazolam;
 218 Zaleplon;
 219 Zolpidem;
 220 Zopiclone.

221 2. Any compound, mixture or preparation which contains any quantity of the following substances
 222 including any salts or isomers thereof:

223 Fenfluramine;
 224 *Lorcaserin*.

225 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 226 or preparation which contains any quantity of the following substances having a stimulant effect on the
 227 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
 228 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
 229 specific chemical designation:

230 Cathine (+)-norpseudoephedrine;
 231 Diethylpropion;
 232 Fencamfamin;
 233 Fenproporex;
 234 Mazindol;
 235 Mefenorex;
 236 Modafinil;
 237 Phentermine;
 238 Pemoline (including organometallic complexes and chelates thereof);
 239 Pipradrol;

Sibutramine;

SPA (-)-1-dimethylamino-1, 2-diphenylethane.

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

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxy butane);

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

5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts:

Butorphanol (including its optical isomers);

Pentazocine.

6. The Board may except by regulation any compound, mixture, or preparation containing any depressant substance listed in subdivision 1 from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

2. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 806 of the 2013 Acts of Assembly requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.