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HOUSE BILL NO. 875

Offered January 11, 2006

Prefiled January 10, 2006

A BILL restricting access to certain over-the-counter medications containing the drug Dextromethorphan (DXM).

Patron—Frederick (By Request)

Referred to Committee on Health, Welfare and Institutions

Whereas, common over-the-counter medications containing the drug Dextromethorphan (DXM), such as brand and generic cough syrups, can produce dissociation, sensory enhancement, and hallucinatory effects when taken in sufficient quantity; and

Whereas, such medications are readily available to minors at local drugstores and other commercial establishments; and

Whereas, emergency rooms have reported DXM overdoses and DXM-related crises involving minors; and

Whereas, the abuse of DXM is reported to be common in dance clubs and at "raves," where it is used as an alternative for the more well-known drug ecstasy; and

Whereas, the chemical and mental reactions caused by ingestion of DXM are known to lead to addiction and abuse; and

Whereas, in Virginia, the State Health Commissioner has recently used his authority to act for the Board of Health when it is not in session pursuant to § 32.1-20 to issue an emergency order in accordance with § 32.1-13, finding imminent danger to the public health from the illegal manufacture of methamphetamine from common ingredients and providing for corrective action that restricts access to these ingredients; and

Whereas, the abuse of DXM is also an imminent danger to the public health, particularly the health of young teenagers, that calls for corrective actions; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. State Health Commissioner to issue certain emergency order and to require corrective action.

In the exercise of his authority to act for the Board of Health when it is not in session pursuant to § 32.1-20, the State Health Commissioner shall utilize the authority provided to the Board in § 32.1-13, relating to the suppression of nuisances dangerous to the public health, to issue an emergency order prescribing corrective actions that restrict access to over-the-counter medications containing the drug Dextromethorphan (DXM), such as, but not limited to, brand and generic cough syrups.

INTRODUCED

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