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**HOUSE BILL NO. 575****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Health, Welfare and Institutions  
on January 14, 2014)

(Patron Prior to Substitute—Delegate O'Bannon)

*A BILL to amend and reenact §§ 54.1-3450 and 54.1-3452 of the Code of Virginia, relating to Schedule III and Schedule IV drugs.***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 therapeutic amounts;

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

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

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

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

72 Benzphetamine;

73 Chlorphentermine;

74 Clortermine;

75 Phendimetrazine.

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

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

86 Anabolic steroids, including, but not limited to:

87 3beta,17-dihydroxy-5a-androstane;

88 3alpha,17beta-dihydroxy-5a-androstane;

89 5alpha-androstan-3,17-dione;

90 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);

91 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);

92 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);

93 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);

94 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);

95 4-androstenedione (androst-4-en-3,17-dione);

96 5-androstenedione (androst-5-en-3,17-dione);

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

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

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

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

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

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

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

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

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

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

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

108 Formyldienolone (Formebolone)(2-formyl-17alpha-methyl-11alpha,17beta-dihydroxya  
109 ndrost-1,4-dien-3-one);

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

111 13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;

112 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

113 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

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

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

116 Methandriol (methylandrostenediol)(17alpha-methyl-3beta,17beta-dihydroxyand rost-5-ene);

117 Methandrostenolone (Methandienone) (Dehydromethyltestosterone)  
118 (17alpha-methyl-17beta-hydroxyandros t-1,4-dien-3-one);

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

120 Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

121 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;

- 122 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;  
 123 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);  
 124 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);  
 125 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);  
 126 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);  
 127 17-Methyltestosterone (Methyltestosterone)(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);  
 128 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);  
 129 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)  
 130 (17-alpha-methyl-1-testosterone);  
 131 Nandrolone (19-Nortestosterone)(17beta-hydroxyestr-4-en-3-one);  
 132 19-nor-4, 9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);  
 133 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);  
 134 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);  
 135 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);  
 136 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);  
 137 19-nor-4-androstenedione (estr-4-en-3,17-dione);  
 138 19-nor-5-androstenedione (estr-5-en-3,17-dione);  
 139 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);  
 140 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);  
 141 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);  
 142 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);  
 143 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androst-3-one);  
 144 Oxymesterone (Oxymestron)(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);  
 145 Oxymetholone (Anasterone)(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androst  
 146 an-3-one);  
 147 Prostanazol (17beta-hydroxy-5alpha-androstano[3,2-c]pyrazole);  
 148 Stanolone (4-Dihydrotestosterone)(Dihydrotestosterone)(17beta-hydroxy-and rostan-3-one);  
 149 Stanazolol (Androstanazole)(17alpha-methyl-17beta-hydroxy-[5alpha]-androst -2-eno[3,2-c]-pyrazole);  
 150 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);  
 151 Testolactone (1-Dehydrotestololactone)(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid  
 152 lactone);  
 153 Testosterone (17beta-hydroxandrost-4-en-3-one);  
 154 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);  
 155 Trenbolone (Trienbolone)(Trienolone)(17beta-hydroxyestr-4,9,11-trien-3-one); and  
 156 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such  
 157 term does not include an anabolic steroid which is expressly intended for administration through  
 158 implants to cattle or other nonhuman species and which has been approved by the United States  
 159 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or  
 160 distributes any such steroid for human use, such person shall be considered to have prescribed,  
 161 dispensed, or distributed an anabolic steroid within the meaning of this subsection.  
 162 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product  
 163 approved by the U.S. Food and Drug Administration.  
 164 **§ 54.1-3452. Schedule IV.**  
 165 The controlled substances listed in this section are included in Schedule IV unless specifically  
 166 excepted or listed in another schedule:  
 167 1. Any material, compound, mixture, or preparation which contains any quantity of the following  
 168 substances having a potential for abuse associated with a depressant effect on the central nervous  
 169 system:  
 170 Alprazolam;  
 171 Barbitol;  
 172 Bromazepam;  
 173 Camazepam;  
 174 Carisoprodol;  
 175 Chloral betaine;  
 176 Chloral hydrate;  
 177 Chlordiazepoxide;  
 178 Clobazam;  
 179 Clonazepam;  
 180 Clorazepate;  
 181 Clotiazepam;  
 182 Cloxazolam;

- 183 Delorazepam;  
184 Diazepam;  
185 Dichloralphenazone;  
186 Estazolam;  
187 Ethchlorvynol;  
188 Ethinamate;  
189 Ethyl loflazepate;  
190 Fludiazepam;  
191 Flunitrazepam;  
192 Flurazepam;  
193 Fospropofol;  
194 Halazepam;  
195 Haloxazolam;  
196 Ketazolam;  
197 Loprazolam;  
198 Lorazepam;  
199 Lormetazepam;  
200 Mebutamate;  
201 Medazepam;  
202 Methohexital;  
203 Meprobamate;  
204 Methylphenobarbital;  
205 Midazolam;  
206 Nimetazepam;  
207 Nitrazepam;  
208 Nordiazepam;  
209 Oxazepam;  
210 Oxazolam;  
211 Paraldehyde;  
212 Petrichloral;  
213 Phenobarbital;  
214 Pinazepam;  
215 Prazepam;  
216 Quazepam;  
217 Temazepam;  
218 Tetrazepam;  
219 Triazolam;  
220 Zaleplon;  
221 Zolpidem;  
222 Zopiclone.
- 223 2. Any compound, mixture or preparation which contains any quantity of the following substances  
224 including any salts or isomers thereof:  
225 Fenfluramine;  
226 *Lorcaserin*.
- 227 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,  
228 or preparation which contains any quantity of the following substances having a stimulant effect on the  
229 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of  
230 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the  
231 specific chemical designation:  
232 Cathine (+)-norpseudoephedrine;  
233 Diethylpropion;  
234 Fencamfamin;  
235 Fenproporex;  
236 Mazindol;  
237 Mefenorex;  
238 Modafinil;  
239 Phentermine;  
240 Pemoline (including organometallic complexes and chelates thereof);  
241 Pipradrol;  
242 Sibutramine;  
243 SPA (-)-1-dimethylamino-1, 2-diphenylethane.
- 244 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.**