

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Carlos Mayans at 1:30 p.m. on January 31, 1995 in Room 423-S of the State Capitol.

All members were present.

Committee staff present: Emalene Correll, Legislative Research Department
Bill Wolff, Legislative Research Department
Norman Furse, Revisor of Statutes
Lois Hedrick, Committee Secretary

Conferees appearing before the committee: Tom Hitchcock, Executive Secretary, Board of Pharmacy

Others attending: See Guest List, Attachment 1.

Chairperson Mayans opened the meeting by stating the committee's first order of business was to consider bill introductions.

Mr. Tom Hitchcock, of the Board of Pharmacy, requested introduction of bills to amend two statutes (K.S.A. 65-4109 and 65-4111) under the Uniformed Controlled Substance's Act (see Attachment 2). Emalene Correll asked if the Kansas schedule of substances differs from the Federal schedule, will it make Kansas out of compliance and be handled differently than other states? Mr. Hitchcock said that is correct. On motion of Representative Geringer, seconded by Representative O'Connor, the committee approved the introduction of the legislation as set forth on Attachment 2.

HB 2083 - reporting termination of pregnancies

Chairperson Mayans opened discussion for final action on **HB 2083** and asked for amendments, changes or comments. There were none. The Chairman then asked for final vote. On motion of Representative Morrison, seconded by Representative O'Connor, by voice vote, the committee voted that **HB 2083** be passed.

Chairperson Mayans stated that tomorrow's meeting agenda will include consideration of bill introductions and final action on **HB 2004** (chiropractors authorized to perform health assessments of school pupils).

The meeting was adjourned at 1:48 p.m.

The next meeting is scheduled for February 1, 1995.

HEALTH AND HUMAN SERVICES COMMITTEE
GUEST LIST

DATE: JANUARY 31, 1995

NAME	REPRESENTING
Peggy Jarman	PCAL, WHCS
Dorothy Jean Stearns	LAW
Tom Hitchcock	Bd. of Pharmacy
Joe Fungari	KCA
Paul Pittman	Health Medment
Tom Bruno	Alten Assoc.
Jeanne Gaudin	KFL
Kay Miller	N.O.W.
Douglas Johnston	Planned Parenthood
Gary Robbins	Ks Optometric Assn
Harold Richa	KAOM
Bob Williams	Ks. Pharmacists Assoc.
Michelle Peterson	PhRMA
LORNA A. PHILLIPS	KDHE
Ingrid Taylor	AP
Wlan Rumb	Amer. Cancer Soc.
Nathalie Scharf	KHA
Sharon Shingleton	CWA of Ks
JIM McDAVID	Ks Education Watch

Kansas State Board of Pharmacy

LONDON STATE OFFICE BUILDING
900 JACKSON AVENUE, ROOM 513
TOPEKA, KANSAS 66612-1231
PHONE (913) 296-4056
FAX (913) 296-8420

STATE OF KANSAS



BILL GRAVES
GOVERNOR

January 31, 1995

TOM C. HITCHOCK
EXECUTIVE SECRETARY/DIRECTOR

DANA W. KILLINGER
BOARD ATTORNEY

HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

PROPOSED LEGISLATION

The Board of Pharmacy respectfully requests introduction by Committee of the enclosed proposed legislation which would amend two statutes under the Uniformed Controlled Substances Act. This is the annual request by the Board to update the Kansas statutes to comply with the federal scheduling and to make changes recommended by the Board of Pharmacy. The two statutes involved are K.S.A. 65-4109 and 65-4111.

Thank you.

HOUSE H&HS COMMITTEE
1 - 31 - 1995
Attachment 2-1

65-4109. Substances included in schedule III. (a) The controlled substances listed in this section are included in schedule III and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following

substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) Any compound, mixture or preparation containing:
- (A) Amobarbital..... 2126
 - (B) Secobarbital..... 2316
 - (C) Pentobarbital..... 2271

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

- (2) Any suppository dosage form containing:
- (A) Amobarbital..... 2126
 - (B) Secobarbital..... 2316
 - (C) Pentobarbital..... 2271

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.

- (3) 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..... 2100
- (4) Chlorhexadol 2510
 - (5) Lysergic acid 7300
 - (6) Lysergic acid amide 7310
 - (7) Methyprylon..... 2575
 - (8) Sulfondiethylmethane..... 2600
 - (9) Sulfonethylmethane..... 2605
 - (10) Sulfonmethane..... 2610
 - (11) Tiletamine and zolazepam or any salt thereof..... 7295
- Some trade or other names for a tiletamine-zolazepam combination product: Telazol
 Some trade or other names for tiletamine: 2- (ethylamino)-2-(2-thienyl)-cyclohexanone
 Some trade or other names for zolazepam: 4- (2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo- [3,4-e] [1,4]-diazepin-7(1H)-one, flupyrzapon

(c) Nalorphine..... 9400

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

- (1) 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..... 9803
- (2) 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..... 9804

(3) 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	9805
(4) 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	9806
(5) 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	9807
(6) 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 active, nonnarcotic ingredients in recognized therapeutic amounts	9808
(7) 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	9809
(8) 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	9810

~~(3) 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~~ 9805

~~(4) 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~~ 9806

~~(5) (3)~~

~~(6) (4)~~

~~(7) (5)~~

~~(8) (6)~~

(e) 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:

- (1) Those compounds, mixtures or preparations in dosage unit form containing any stimulant substance listed in schedule II, which compounds, mixtures or preparations were listed on August 25, 1971, as excepted compounds under section 308.32 of title 21 of the code of federal regulations, and any other drug of the quantitative composition shown in that list for those drugs or which is the same, except that it contains a lesser quantity of controlled substances..... 1405
- (2) Benzphetamine 1228
- (3) Chlorphentermine 1645
- (4) Chlortermine 1647
- (5) Phendimetrazine 1615

(f) Anabolic steroids 4000
 "Anabolic steroid" means any drug or hormonal substance, chemically and pharmacolog-

(2)

ically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (1) boldenone
- (2) chlorotestosterone (4-chlortestosterone)
- (3) clostebol
- (4) dehydrochlormethyltestosterone
- (5) dihydrotestosterone (4-dihydrotestosterone)
- (6) drostanolone
- (7) ethylestrenol
- (8) fluoxymesterone
- (9) formebulone (formebolone)
- (10) mesterolone
- (11) methandienone
- (12) methandranone
- (13) methandriol
- (14) methandrostenolone
- (15) methenolone
- (16) methyltestosterone
- (17) mibolerone
- (18) nandrolone
- (19) norethandrolone
- (20) oxandrolone
- (21) oxymesterone
- (22) oxymetholone
- (23) stanolone
- (24) stanozolol
- (25) testolactone
- (26) testosterone
- (27) trenbolone
- (28) any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth.

(A) Except as provided in (B), such term does not include an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the United States' secretary of health and human services for such administration.

(B) If any person prescribes, dispenses or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed or distributed an anabolic steroid within the meaning of this subsection (f).

(g) The board may except by rule any compound, mixture or preparation containing any stimulant or depressant substance listed in subsection (b) from the application of all or any part of this act 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.

65-4111. Substances included in schedule IV. (a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Alprazolam	2882
(2) Barbital	2145
(3) Bromazepam	2748
(4) Camazepam	2749
(5) Chloral betaine	2460
(6) Chloral hydrate	2465
(7) Chlordiazepoxide	2744
(8) Clobazam	2751
(9) Clonazepam	2737
(10) Clorazepate	2768
(11) Clotiazepam	2752
(12) Cloxazolam	2753
(13) Delorazepam	2754
(14) Diazepam	2765
(15) Estazolam	2756
(16) Ethchlorvynol	2540
(17) Ethinamate	2545
(18) Ethyl loflazepate	2758
(19) Fludiazepam	2759
(20) Flunitrazepam	2763
(21) Flurazepam	2767
(22) Halazepam	2762
(23) Haloxazolam	2771
(24) Ketazolam	2772
(25) Loprazolam	2773
(26) Lorazepam	2885
(27) Lormetazepam	2774
(28) Mebutamate	2800
(29) Medazepam	2836
(30) Meprobamate	2820
(31) Methohexital	2264
(32) Methylphenobarbital (mephobarbital)	2250
(33) Midazolam	2884
(34) Nimetazepam	2837
(35) Nitrazepam	2834
(36) Nordiazepam	2838
(37) Oxazepam	2835
(38) Oxazolam	2839
(39) Paraldehyde	2585
(40) Petrichloral	2591
(41) Phenobarbital	2285
(42) Pinazepam	2883
(43) Prazepam	2764
(44) Quazepam	2881
(45) Temazepam	2925
(46) Tetrazepam	2886
(47) Triazolam	2887
(48) Zolpidem	2783

(49) Carisoprodol	
(50) Butorphanol Tartrate	

(c) Any material, compound, mixture, or preparation which contains any quantity of fenfluramine (1670), 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.

(d) 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:

- (1) Cathine ((+)-norpseudoephedrine)..... 1230
- (2) Diethylpropion..... 1610

- (3) Fencamfamin 1760
- (4) Fenproporex..... 1575
- (5) Mazindol..... 1605
- (6) Mefenorex..... 1580
- (7) Pemoline (including organometallic complexes and chelates thereof)..... 1530
- (8) Phentermine..... 1640
- (9) Pipradrol..... 1750
- (10) SPA((-)-1-dimethylamino-1,2-diphenylethane)..... 1635

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following, including salts thereof:

- (1) Pentazocine..... 9709

(f) 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:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit..... 9167
- (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane)..... 9278

(g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(h) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act 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.

(5)