

Agenda

CONTROLLED SUBSTANCES ADVISORY COMMITTEE MEETING

May 13, 2014 - 4:00 p.m.

Room 474 (Fourth Floor)
Heber M. Wells Building
160 E. 300 S. Salt Lake City, Utah

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:

1. Call Meeting to Order/Sign Per Diem
2. Review and approval of March 11, 2014 minutes

DISCUSSION ITEMS:

1. Overview of 2014 legislative session – Scott Reed
2. Report on Rep. Froerer's legislation regarding TCH oils for Seizures in children - Janice Houston, UDOH
3. Review *National Alliance for Model State Drug Laws* for Controlled Substance scheduling – Jennifer McNair
4. Reports from:
 - Law enforcement
 - State crime lab
 - Health departments and hospitals
 - Utah Poison Control
 - Medical Examiner
 - National trends and policies
5. Environmental Scan

2014 MEETING SCHEDULE – Tentatively set for:

- September 2, 2014, 4:00 p.m.
- October 7, 2014, 4:00 p.m.

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, 801-530-6628 or toll-free in Utah only 866-275-3675.



(1) Highlights of the Model Scheduling of Novel Psychoactive Substances Law

- Sets out a list of class definitions for synthetic cannabinoids with examples for each class
- Sets out class language for substituted cathinones and a list of substituted cathinones
- Sets out a list of class definitions for other novel psychoactive substances with examples for each class

Example of model law language:

Benzoylindoles - any compound structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including, but not limited to, the following:

AM-630, AM-661, AM-679, AM-694, AM-1241, AM-2233, RCS-4, WIN 48,098 (Pravadoline)

(2) Highlights of the Model Controlled Substances Analogue Statute

- Sets out parameters for what does not constitute a controlled substance analogue and provides language for dealing with substances labeled “not for human consumption.”
- Lists factors to be considered to help determine whether a substance is a controlled substance analogue.
- Provides for a committee to temporarily schedule new analogues on an emergency or expedited basis as needed.
- Provides that an analogue shall be treated as a Schedule I substance and for emergency scheduling of such substance.
- Sample language clarifies that to be a controlled substance analogue, a substance must be substantially similar to a controlled substance and must either have a substantially similar effect on the body or that is intended to have an effect on the body and provides guidance regarding what constitutes “substantially similar.”

Example of model law language:

Subsection (B) Option 1 - As used in this section, the term “substantially similar to” means that the tested item differs in no more than two (2) atoms, one (1) functional group, or any combination thereof, from the structure of a controlled substance. A functional group being that of an alkyl, alkene, alkyne, arene, haloalkane, haloalkyne, haloalkene, aromatic halide, alcohol, ether, amine, aldehyde, ketone, carboxylic acid, ester, or amide group.

Subsection (B) Option 3 - As used in this section, the term “substantially similar to” means that the substance in question shares a common core structure (the central portion of the molecule is the same) with a controlled substance in schedules I or II and has only one point of divergence from the controlled substance.

(3) Highlights of the Emergency Scheduling of Novel Psychoactive Substances and Controlled Substance Analogues Model Law

Model laws available at <http://www.namsdl.org/namsdl-model-laws.cfm>



NAMSDL

National Alliance for Model State Drug Laws

- Allows a state agency to schedule novel psychoactive substances and controlled substance analogues on an emergency basis
- Provides that a substance will be temporarily scheduled for a period not to exceed eighteen (18) months to allow the state agency and/or legislature an opportunity to review additional information or research related to the substance
- Provides that when notice is received by the state agency under the state equivalent of Section Two of NAMSDL's Model Controlled Substance Analogue Statute that the controlled substance analogue will be scheduled on an emergency basis for a period not to exceed eighteen (18) months unless permanently scheduled within that time period
- Provides a six (6) month extension of the temporary scheduling order for both emergency scheduling of substances without Section Two notice and with Section Two notice for state legislatures that meet every two years

(4) Highlights of the Novel Psychoactive Substances Economic Sanctions Package

- Provides for the suspension or revocation of liquor, beer, wine, and tobacco licenses for violations.
- Provides for the seizure of any and all mislabeled/misbranded novel psychoactive substances.
- Provides that violations may result in the premises being declared a public or drug-related nuisance and includes provisions for abatement and suspension or revocation of certain licenses.
- Provides for the suspension or revocation of a retail merchant license or certificate.
- Provides for the imposition of a temporary restraining order, preliminary injunction, temporary forfeiture order, temporary closure order, or order of abatement for violations.
- Includes model language, including findings of fact, definitions, penalty provisions, etc., which may be used by municipalities and counties in addition to the other provisions of the economic sanctions package.