

Date 2-24-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

ENROLLED

SENATE BILL NO. 86

(By Mr. McGraw, Mr. President)

PASSED February 5, 1982

In Effect ninety days from Passage



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Senate Bill No. 86

(By MR. MCGRAW, MR. PRESIDENT)

[Passed February 5, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact sections two hundred four and two hundred ten, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the authority of the state board of pharmacy; recommendations to the Legislature; schedules of controlled substances.

Be it enacted by the Legislature of West Virginia:

That sections two hundred four and two hundred ten, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. STANDARDS AND SCHEDULES.

§60A-2-204. Schedule I.

1 (a) The controlled substances listed in this section are
2 included in Schedule I.

3 (b) Unless specifically excepted or unless listed in
4 another schedule, any of the following opiates, including
5 its isomers, esters, ethers, salts and salts of isomers,
6 esters, and ethers whenever the existence of such
7 isomers, esters, ethers, and salts is possible within the
8 specific chemical designation:

- 9 (1) Acetylmethadol;
10 (2) Allylprodine;
11 (3) Alphacetylmethadol;
12 (4) Alphameprodine;
13 (5) Alphamethadol;
14 (6) Alpha-methylfentanyl;

- 15 (7) Benzethidine;
- 16 (8) Betacetylmethadol;
- 17 (9) Betameprodine;
- 18 (10) Betamethadol;
- 19 (11) Betaprodine;
- 20 (12) Clonitazene;
- 21 (13) Dextromoramide;
- 22 (14) Diampromide;
- 23 (15) Diethylthiambutene;
- 24 (16) Difenoxin;
- 25 (17) Dimenoxadol;
- 26 (18) Dimepheptanol;
- 27 (19) Dimethylthiambutene;
- 28 (20) Dioxaphetyl butyrate;
- 29 (21) Dipipanone;
- 30 (22) Ethylmethylthiambutene;
- 31 (23) Etonitazene;
- 32 (24) Etoxeridine;
- 33 (25) Fenethylline;
- 34 (26) Furethidine;
- 35 (27) Hydroxypethidine;
- 36 (28) Ketobemidone;
- 37 (29) Levomoramide;
- 38 (30) Levophenacymorphan;
- 39 (31) Morpheridine;
- 40 (32) Noracymethadol;
- 41 (33) Norlevorphanol;
- 42 (34) Normethadone;
- 43 (35) Norpipanone;
- 44 (36) Phenadoxone;
- 45 (37) Phenampromide;
- 46 (38) Phenomorphan;
- 47 (39) Phenoperidine;
- 48 (40) Piritramide;
- 49 (41) Proheptazine;
- 50 (42) Properidine;
- 51 (43) Propiram;
- 52 (44) Racemoramide;
- 53 (45) Sufentanil;
- 54 (46) Tilidine;
- 55 (47) Trimeperidine.

56 (c) Unless specifically excepted or unless listed in
57 another schedule, any of the following opium derivatives,
58 its salts, isomers and salts of isomers whenever the
59 existence of such salts, isomers and salts of isomers is
60 possible within the specific chemical designation:

- 61 (1) Acetorphine;
- 62 (2) Acetyldihydrocodeine;
- 63 (3) Benzylmorphine;
- 64 (4) Codeine methylbromide;
- 65 (5) Codeine-N-Oxide;
- 66 (6) Cyprenorphine;
- 67 (7) Desomorphine;
- 68 (8) Dihydromorphine;
- 69 (9) Drotebanol;
- 70 (10) Etorphine (except HCL Salt);
- 71 (11) Heroin;
- 72 (12) Hydromorphenol;
- 73 (13) Methyldesorphine;
- 74 (14) Methyldihydromorphine;
- 75 (15) Morphine methylbromide;
- 76 (16) Morphine methylsulfonate;
- 77 (17) Morphine-N-Oxide;
- 78 (18) Myrophine;
- 79 (19) Nicocodeine;
- 80 (20) Nicomorphine;
- 81 (21) Normorphine;
- 82 (22) Phoclodine;
- 83 (23) Thebacon.

84 (d) Unless specifically excepted or unless listed in
85 another schedule, any material, compound, mixture or
86 preparation, which contains any quantity of the follow-
87 ing hallucinogenic substances, or which contains any of
88 the salts, isomers and salts of isomers of any thereof
89 whenever the existence of such salts, isomers and salts
90 of isomers is possible within the specific chemical designa-
91 tion and for the purposes of this subsection only, "isomer"
92 includes the optical position and geometric iso-
93 mers:

- 94 (1) 2,5-dimethoxyamphetamine; also known by these
95 trade or other names: 2,5-dimethoxy-a-methylphenethy-
96 lamine; 2,5-DMA;

- 97 (2) 3,4-methylenedioxy amphetamine;
98 (3) 4-bromo-2,5-dimethoxyamphetamine or 4-bromo-
99 2,5-dimethoxy-a-methylphenethylamine, or 4-bromo-2,
100 5-DMA;
101 (4) 5-methoxy-3, 4-methylenedioxy amphetamine;
102 (5) 4-methoxyamphetamine; also known by these trade
103 or other names: 4-methoxy-a-methylphenethylamine;
104 paramethoxyamphetamine; PMA;
105 (6) 3,4,5-trimethoxy amphetamine;
106 (7) Bufotenine; known also by these trade and other
107 names; 3- (B-Dimethylaminoethyl) -5-hydroxyindole; 3- (2-
108 dimethylamino-ethyl) -5 indolol; N-N-dimethylserotonin;
109 5-hydroxy-N-dimethyltryptamine; mappine;
110 (8) Diethyltryptamine; known also by these trade and
111 other names: N-N-Diethyltryptamine; "DET";
112 (9) Dimethyltryptamine; known also by the name
113 "DMT";
114 (10) 4-methyl-2,5-dimethoxy amphetamine; known
115 also by these trade and other names: 4-methyl-2,5-di-
116 methoxy-a-methylphenethylamine; "DOM"; "STP";
117 (11) Iboqaine; known also by these trade and other
118 names: 7-Ethyl-6, 6a, 7, 8, 9, 10, 12, 13-octahydro-2-meth-
119 oxy-6, 9-methano-5H-pyrido (1', 2': 1, 2 azepino 4,5b)
120 indole; tabernanthe iboga;
121 (12) Lysergic acid diethylamide;
122 (13) Marihuana;
123 (14) Mescaline;
124 (15) Peyote; meaning all parts of the plant presently
125 classified botanically as *Lophophora Williamsii* Lematre,
126 whether growing or not; the seeds thereof; any extract
127 from any part of such plant; and every compound,
128 manufacture, salt, derivative, mixture or preparation of
129 such plant, its seeds or extracts;
130 (16) N-ethyl-3-piperidyl benzilate;
131 (17) N-methyl-3-piperidyl benzilate;
132 (18) Psilocybin;
133 (19) Psilocyn;
134 (20) Tetrahydrocannabinols; including synthetic equiv-
135 alents of the substances contained in the plant or in the

136 resinous extractives of Cannabis or synthetic substances,
137 derivatives and their isomers with similar chemical
138 structure and pharmacological activity such as the fol-
139 lowing:

140 Delta 1

141 Cis or trans tetrahydrocannabinol, and their optical
142 isomers;

143 Delta 6

144 Cis or trans tetrahydrocannabinol, and their optical
145 isomers;

146 Delta 3, 4

147 Cis or trans tetrahydrocannabinil tetrahydrocannabi-
148 nol, and their optical isomers;

149 (21) Thiophene analog of phencyclidine; also known
150 by these trade or other names: (A) (1-(2-thienyl) cyclo-
151 hexyl) piperidine; (B) Thienyl analog of phencyclidine;
152 TPCP;

153 (22) Ethylamine analog of phencyclidine . . . Some
154 trade or other names: N-ethyl-1-phenylcyclohexylamine,
155 (1-phenylcyclohexyl)ethylamine, N - (1 - phenylcyclo-
156 hexyl) ethylamine, cyclohexamine, PCE;

157 (23) Pyrrolidine analog of phencyclidine . . . Some
158 trade or other names: 1-(1-phenylcyclohexyl)-pyrroli-
159 dine, PCPy, PHP.

160 (e) Unless specifically excepted or unless listed in
161 another schedule, any of the following depressants, its
162 salts, isomers and salts of isomers whenever the existence
163 of such salts, isomers and salts of isomers is possible
164 within the specific chemical designation:

165 (1) Mecloqualone.

§60A-2-210. Schedule IV.

1 (a) The controlled substances listed in this section are
2 included in Schedule IV.

3 (b) Unless specifically excepted or unless listed in
4 another schedule, any material, compound, mixture or
5 preparation which contains any quantity of the following
6 substances, including its salts, isomers and salts of iso-
7 mers whenever the existence of such salts, isomers and

8 salts of isomers is possible within the specific chemical
9 designation:

- 10 (1) Alprazolam;
- 11 (2) Barbitol;
- 12 (3) Chloral betaine;
- 13 (4) Chloral hydrate;
- 14 (5) Ethchlorvynol;
- 15 (6) Ethinamate;
- 16 (7) Halazepam;
- 17 (8) Methohexital;
- 18 (9) Meprobamate;
- 19 (10) Methylphenobarbital, as methobarbital;
- 20 (11) Paraldehyde;
- 21 (12) Petrichloral;
- 22 (13) Phenobarbital;
- 23 (14) Lorazepam;
- 24 (15) Mebutamate;
- 25 (16) Clorazepate;
- 26 (17) Chlordiazepoxide;
- 27 (18) Clonazepam;
- 28 (19) Diazepam;
- 29 (20) Flurazepam;
- 30 (21) Oxazepam;
- 31 (22) Prazepam;
- 32 (23) Pentazocine;
- 33 (24) Temazepam.

34 (c) Any material, compound, mixture or preparation
35 which contains any quantity of the following substance,
36 including its salts, isomers (whether optical, position or
37 geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible: Fenfluramine.

40 (d) Unless specifically excepted or unless listed in
41 another schedule, any material, compound, mixture or
42 preparation which contains any quantity of the following
43 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:

- 48 (1) Diethylpropion;
49 (2) Mazindol;
50 (3) Phentermine;
51 (4) Pemoline (including organometallic complexes and
52 chelates thereof);
53 (5) Pipradrol;
54 (6) SPA ((-1)-1-dimethylamino-1, 2-diphenylethane).
55 (e) Other substances. Unless specifically excepted or
56 unless listed in another schedule, any material, com-
57 pound, mixture or preparation which contains any quan-
58 tity of the following substances, including its salts:
59 (1) Dextropropoxyphene (alpha - (+) - 4 -
60 dimethylamino-1, 2 - diphenyl - 3 - methyl - 2 -
61 propionoxybutane).
62 (f) Not more than 1 milligram of difenoxin and not
63 less than 25 micrograms of atropine sulfate per dosage
64 unit.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

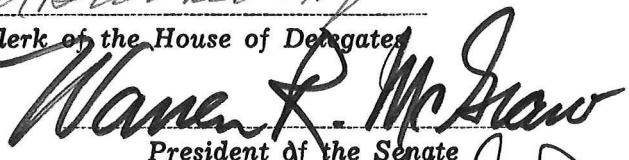

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within is approved this the 24

day of Feb. 1982.


Governor



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