

House Substitute for SENATE BILL No. 325

By Committee on Corrections and Juvenile Justice

3-16

1 AN ACT concerning public health; relating to distribution of certain
2 controlled substances to health care providers; relating to
3 mammography examinations; amending K.S.A. 2011 Supp. 65-4111
4 and 65-4113 and repealing the existing sections.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) Each mammography report sent to a patient in this
8 state pursuant to regulations implementing the federal mammography
9 quality standards act promulgated by the United States food and drug
10 administration shall include information regarding breast density, based on
11 the breast imaging reporting and database system established by the
12 American college of radiology. In those patients whose mammograms
13 demonstrate that they have heterogeneously dense or extremely dense
14 breast tissue, the report shall include the following notice:

15 "Your mammogram demonstrates that you have dense breast tissue.
16 Mammography has known limitations, and in women who have dense
17 breast tissue, some abnormalities may be hidden. A report of your
18 mammography results, which includes information about your breast
19 tissue density, has been sent to your physician. This statement is intended
20 to raise your awareness and promote discussion with your physician
21 regarding your test results. Depending on your individual risk factors, your
22 physician might recommend additional tests. You should contact your
23 physician if you have any questions or concerns regarding your report."

24 (b) The state board of healing arts, in conjunction with the department
25 of health and environment, shall develop and make available to the public
26 information concerning mammography testing.

27 (c) This section shall be part of and supplemental to the Kansas
28 healing arts act.

29 Sec. 2. K.S.A. 2011 Supp. 65-4111 is hereby amended to read as
30 follows: 65-4111. (a) The controlled substances listed in this section are
31 included in schedule IV and the number set forth opposite each drug or
32 substance is the DEA controlled substances code which has been assigned
33 to it.

34 (b) Any material, compound, mixture or preparation which contains
35 any quantity of the following substances including its salts, isomers and
36 salts of isomers whenever the existence of such salts, isomers and salts of

1	isomers is possible within the specific chemical designation and having a	
2	potential for abuse associated with a depressant effect on the central	
3	nervous system:	
4	(1) Alprazolam	2882
5	(2) Barbitol	2145
6	(3) Bromazepam	2748
7	(4) Camazepam	2749
8	(5) <i>Carisoprodol</i>	8192
9	(5) (6) Chloral betaine	2460
10	(6) (7) Chloral hydrate	2465
11	(7) (8) Chlordiazepoxide	2744
12	(8) (9) Clobazam	2751
13	(9) (10) Clonazepam	2737
14	(10) (11) Clorazepate	2768
15	(11) (12) Clotiazepam	2752
16	(12) (13) Cloxazolam	2753
17	(13) (14) Delorazepam	2754
18	(14) (15) Diazepam	2765
19	(15) (16) Dichloralphenazone	2467
20	(16) (17) Estazolam	2756
21	(17) (18) Ethchlorvynol	2540
22	(18) (19) Ethinamate	2545
23	(19) (20) Ethyl loflazepate	2758
24	(20) (21) Fludiazepam	2759
25	(21) (22) Flunitrazepam	2763
26	(22) (23) Flurazepam	2767
27	(23) (24) Fospropofol	2138
28	(24) (25) Halazepam	2762
29	(25) (26) Haloxazolam	2771
30	(26) (27) Ketazolam	2772
31	(27) (28) Loprazolam	2773
32	(28) (29) Lorazepam	2885
33	(29) (30) Lormetazepam	2774
34	(30) (31) Mebutamate	2800
35	(31) (32) Medazepam	2836
36	(32) (33) Meprobamate	2820
37	(33) (34) Methohexital	2264
38	(34) (35) Methylphenobarbital (mephobarbital)	2250
39	(35) (36) Midazolam	2884
40	(36) (37) Nimetazepam	2837
41	(37) (38) Nitrazepam	2834
42	(38) (39) Nordiazepam	2838
43	(39) (40) Oxazepam	2835

1 ~~(40)~~(41) Oxazolam2839
 2 ~~(41)~~(42) Paraldehyde2585
 3 ~~(42)~~(43) Petrichloral2591
 4 ~~(43)~~(44) Phenobarbital2285
 5 ~~(44)~~(45) Pinazepam2883
 6 ~~(45)~~(46) Prazepam2764
 7 ~~(46)~~(47) Quazepam2881
 8 ~~(47)~~(48) Temazepam2925
 9 ~~(48)~~(49) Tetrazepam2886
 10 ~~(49)~~(50) Triazolam2887
 11 ~~(50)~~(51) Zolpidem2783
 12 ~~(51)~~(52) Zaleplon2781
 13 ~~(52)~~(53) Zopiclone2784

14 (c) Any material, compound, mixture, or preparation which contains
 15 any quantity of fenfluramine (1670), including its salts, isomers (whether
 16 optical, position or geometric) and salts of such isomers, whenever the
 17 existence of such salts, isomers and salts of isomers is possible. The
 18 provisions of this subsection (c) shall expire on the date fenfluramine and
 19 its salts and isomers are removed from schedule IV of the federal
 20 controlled substances act (21 U.S.C. § 812; 21 code of federal regulations
 21 1308.14).

22 (d) Unless specifically excepted or unless listed in another schedule,
 23 any material, compound, mixture or preparation which contains any
 24 quantity of the following substances having a stimulant effect on the
 25 central nervous system, including its salts, isomers (whether optical,
 26 position or geometric) and salts of such isomers whenever the existence of
 27 such salts, isomers and salts of isomers is possible within the specific
 28 chemical designation:

29 (1) Cathine ((+)-norpseudoephedrine)1230
 30 (2) Diethylpropion1610
 31 (3) Fencamfamin1760
 32 (4) Fenproporex575
 33 (5) Mazindol1605
 34 (6) Mefenorex1580
 35 (7) Pemoline (including organometallic complexes and chelates thereof)1530
 36 (8) Phentermine1640

37 The provisions of this subsection (d)(8) shall expire on the date
 38 phentermine and its salts and isomers are removed from schedule IV of the
 39 federal controlled substances act (21 U.S.C. § 812; 21 code of federal
 40 regulations 1308.14).

41 (9) Pipradrol1750
 42 (10) SPA(-)-1-dimethylamino-1, 2-diphenylethane)1635
 43 (11) Sibutramine1675

- 1 (12) Mondafinil1680
- 2 (e) Unless specifically excepted or unless listed in another schedule,
- 3 any material, compound, mixture or preparation which contains any
- 4 quantity of the following, including salts thereof:
- 5 (1) Pentazocine9709
- 6 (2) Butorphanol (including its optical isomers)9720
- 7 (f) Unless specifically excepted or unless listed in another schedule,
- 8 any material, compound, mixture or preparation containing any of the
- 9 following narcotic drugs, or their salts calculated as the free anhydrous
- 10 base or alkaloid, in limited quantities as set forth below:
- 11 (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of
- 12 atropine sulfate per dosage unit 9167
- 13 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-
- 14 propion-oxybutane) 9278
- 15 (g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.
- 16 (h) The board may except by rule and regulation any compound,
- 17 mixture or preparation containing any depressant substance listed in
- 18 subsection (b) from the application of all or any part of this act if the
- 19 compound, mixture or preparation contains one or more active medicinal
- 20 ingredients not having a depressant effect on the central nervous system,
- 21 and if the admixtures are included therein in combinations, quantity,
- 22 proportion or concentration that vitiate the potential for abuse of the
- 23 substances which have a depressant effect on the central nervous system.
- 24 Sec. 3. K.S.A. 2011 Supp. 65-4113 is hereby amended to read as
- 25 follows: 65-4113. (a) The controlled substances or drugs, by whatever
- 26 official name, common or usual name, chemical name or brand name
- 27 designated, listed in this section are included in schedule V.
- 28 (b) Any compound, mixture or preparation containing limited
- 29 quantities of any of the following narcotic drugs which also contains one
- 30 or more nonnarcotic active medicinal ingredients in sufficient proportion
- 31 to confer upon the compound, mixture or preparation valuable medicinal
- 32 qualities other than those possessed by the narcotic drug alone:
- 33 (1) Not more than 200 milligrams of codeine or any of its salts per
- 34 100 milliliters or per 100 grams.
- 35 (2) Not more than 100 milligrams of dihydrocodeine or any of its
- 36 salts per 100 milliliters or per 100 grams.
- 37 (3) Not more than 100 milligrams of ethylmorphine or any of its salts
- 38 per 100 milliliters or per 100 grams.
- 39 (4) Not more than 2.5 milligrams of diphenoxylate and not less than
- 40 25 micrograms of atropine sulfate per dosage unit.
- 41 (5) Not more than 100 milligrams of opium per 100 milliliters or per
- 42 100 grams.
- 43 (6) Not more than .5 milligram of difenoxin (9168) and not less than

1 25 micrograms of atropine sulfate per dosage unit.

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

9 (1) Propylhexedrine (except when part of a compound used for nasal decongestion
10 which is authorized to be sold lawfully over the counter without a prescription
11 under the federal food, drug and cosmetic act, so long as it is used only for such
12 purpose).....8161

13 (2) Pyrovalerone.....1485

14 (d) Any compound, mixture or preparation containing any detectable
15 quantity of ephedrine, its salts or optical isomers, or salts of optical
16 isomers.

17 (e) Any compound, mixture or preparation containing any detectable
18 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical
19 isomers.

20 (f) Unless specifically exempted or excluded or unless listed in
21 another schedule, any material, compound, mixture, or preparation which
22 contains any quantity of the following substances having a depressant
23 effect on the central nervous system, including its salts:

24 (1) *Ezogabine N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl*
25 *ester*.....2779

26 (+)(2) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746

27 (2)(3) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782

28 New Sec. 4. A controlled substance listed in schedules II through V,
29 excluding schedule V nonnarcotic depressants that have an effect on the
30 central nervous system, shall not be distributed on a gratuitous basis by a
31 manufacturer or distributor to a practitioner, mid-level practitioner,
32 pharmacist or any other person.

33 Sec. 5. K.S.A. 2011 Supp. 65-4111 and 65-4113 are hereby repealed.

34 Sec. 6. This act shall take effect and be in force from and after its
35 publication in the statute book.

36