

**House Substitute for SENATE BILL No. 51**

By Committee on Health and Human Services

3-14

1 AN ACT concerning controlled substances; the state board of pharmacy;  
2 relating to scheduling of controlled substance analogs, controlled  
3 substances and new drugs; emergency scheduling; amending K.S.A.  
4 2016 Supp. 21-5701, 65-4101, 65-4102, 65-4105, 65-4107{, **65-4111**};  
5 and 65-4113 and repealing the existing sections.  
6

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

8 Section 1. K.S.A. 2016 Supp. 21-5701 is hereby amended to read as  
9 follows: 21-5701. As used in K.S.A. 2016 Supp. 21-5701 through 21-  
10 5717, and amendments thereto: (a) "Controlled substance" means any  
11 drug, substance or immediate precursor included in any of the schedules  
12 designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113,  
13 and amendments thereto.

14 (b) (1) "Controlled substance analog" means a substance that is  
15 intended for human consumption, and *at least one of the following*:

16 (A) The chemical structure of ~~which~~ *the substance* is substantially  
17 similar to the chemical structure of a controlled substance listed in or  
18 added to the schedules designated in K.S.A. 65-4105 or 65-4107, and  
19 amendments thereto;

20 (B) ~~which~~ *the substance* has a stimulant, depressant or hallucinogenic  
21 effect on the central nervous system substantially similar to the stimulant,  
22 depressant or hallucinogenic effect on the central nervous system of a  
23 controlled substance included in the schedules designated in K.S.A. 65-  
24 4105 or 65-4107, and amendments thereto; or

25 (C) with respect to a particular individual, ~~which~~ *the such* individual  
26 represents or intends *the substance* to have a stimulant, depressant or  
27 hallucinogenic effect on the central nervous system substantially similar to  
28 the stimulant, depressant or hallucinogenic effect on the central nervous  
29 system of a controlled substance included in the schedules designated in  
30 K.S.A. 65-4105 or 65-4107, and amendments thereto.

31 (2) "Controlled substance analog" does not include:

32 (A) A controlled substance;

33 (B) a substance for which there is an approved new drug application;

34 or

1 (C) a substance with respect to which an exemption is in effect for  
2 investigational use by a particular person under section 505 of the federal  
3 food, drug, and cosmetic act—( 21 U.S.C. § 355), to the extent conduct with  
4 respect to the substance is permitted by the exemption.

5 (c) "Cultivate" means the planting or promotion of growth of five or  
6 more plants which contain or can produce controlled substances.

7 (d) "Distribute" means the actual, constructive or attempted transfer  
8 from one person to another of some item whether or not there is an agency  
9 relationship. "Distribute" includes, but is not limited to, sale, offer for sale  
10 or any act that causes some item to be transferred from one person to  
11 another. "Distribute" does not include acts of administering, dispensing or  
12 prescribing a controlled substance as authorized by the pharmacy act of the  
13 state of Kansas, the uniform controlled substances act or otherwise  
14 authorized by law.

15 (e) "Drug" means:

16 (1) Substances recognized as drugs in the official United States  
17 ~~pharmacopoeia~~ *pharmacopoeia*, official homeopathic pharmacopoeia of the  
18 United States or official national formulary or any supplement to any of  
19 them;

20 (2) substances intended for use in the diagnosis, cure, mitigation,  
21 treatment or prevention of disease in man or animals;

22 (3) substances, other than food, intended to affect the structure or any  
23 function of the body of man or animals; and

24 (4) substances intended for use as a component of any article  
25 specified in paragraph (1), (2) or (3). It does not include devices or their  
26 components, parts or accessories.

27 (f) "Drug paraphernalia" means all equipment and materials of any  
28 kind which are used, or primarily intended or designed for use in planting,  
29 propagating, cultivating, growing, harvesting, manufacturing,  
30 compounding, converting, producing, processing, preparing, testing,  
31 analyzing, packaging, repackaging, storing, containing, concealing,  
32 injecting, ingesting, inhaling or otherwise introducing into the human body  
33 a controlled substance and in violation of this act. "Drug paraphernalia"  
34 shall include, but is not limited to:

35 (1) Kits used or intended for use in planting, propagating, cultivating,  
36 growing or harvesting any species of plant which is a controlled substance  
37 or from which a controlled substance can be derived;

38 (2) kits used or intended for use in manufacturing, compounding,  
39 converting, producing, processing or preparing controlled substances;

40 (3) isomerization devices used or intended for use in increasing the  
41 potency of any species of plant which is a controlled substance;

42 (4) testing equipment used or intended for use in identifying or in  
43 analyzing the strength, effectiveness or purity of controlled substances;

- 1 (5) scales and balances used or intended for use in weighing or  
2 measuring controlled substances;
- 3 (6) diluents and adulterants, including, but not limited to, quinine  
4 hydrochloride, mannitol, mannite, dextrose and lactose, which are used or  
5 intended for use in cutting controlled substances;
- 6 (7) separation gins and sifters used or intended for use in removing  
7 twigs and seeds from or otherwise cleaning or refining marijuana;
- 8 (8) blenders, bowls, containers, spoons and mixing devices used or  
9 intended for use in compounding controlled substances;
- 10 (9) capsules, balloons, envelopes, bags and other containers used or  
11 intended for use in packaging small quantities of controlled substances;
- 12 (10) containers and other objects used or intended for use in storing  
13 or concealing controlled substances;
- 14 (11) hypodermic syringes, needles and other objects used or intended  
15 for use in parenterally injecting controlled substances into the human  
16 body;
- 17 (12) objects used or primarily intended or designed for use in  
18 ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish,  
19 hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into  
20 the human body, such as:
  - 21 (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with  
22 or without screens, permanent screens, hashish heads or punctured metal  
23 bowls;
  - 24 (B) water pipes, bongs or smoking pipes designed to draw smoke  
25 through water or another cooling device;
  - 26 (C) carburetion pipes, glass or other heat resistant tubes or any other  
27 device used—~~or~~, intended to be used; *or* designed to be used to cause  
28 vaporization of a controlled substance for inhalation;
  - 29 (D) smoking and carburetion masks;
  - 30 (E) roach clips, objects used to hold burning material, such as a  
31 marijuana cigarette, that has become too small or too short to be held in  
32 the hand;
  - 33 (F) miniature cocaine spoons and cocaine vials;
  - 34 (G) chamber smoking pipes;
  - 35 (H) carburetor smoking pipes;
  - 36 (I) electric smoking pipes;
  - 37 (J) air-driven smoking pipes;
  - 38 (K) chillums;
  - 39 (L) bongs;
  - 40 (M) ice pipes or chillers;
  - 41 (N) any smoking pipe manufactured to disguise its intended purpose;
  - 42 (O) wired cigarette papers; or
  - 43 (P) cocaine freebase kits.

1 "Drug paraphernalia" shall not include any products, chemicals or  
2 materials described in ~~subsection (a)~~ of K.S.A. 2016 Supp. 21-5709(a),  
3 and amendments thereto.

4 (g) "Immediate precursor" means a substance which the *state* board  
5 of pharmacy has found to be and by rules and regulations designates as  
6 being the principal compound commonly used or produced primarily for  
7 use and which is an immediate chemical intermediary used or likely to be  
8 used in the manufacture of a controlled substance, the control of which is  
9 necessary to prevent, curtail or limit manufacture.

10 (h) "Isomer" means all enantiomers and diastereomers.

11 (i) "Manufacture" means the production, preparation, propagation,  
12 compounding, conversion or processing of a controlled substance either  
13 directly or indirectly or by extraction from substances of natural origin or  
14 independently by means of chemical synthesis or by a combination of  
15 extraction and chemical synthesis. "Manufacture" does not include:

16 (1) The preparation or compounding of a controlled substance by an  
17 individual for the individual's own lawful use or the preparation,  
18 compounding, packaging or labeling of a controlled substance:

19 (A) By a practitioner or the practitioner's agent pursuant to a lawful  
20 order of a practitioner as an incident to the practitioner's administering or  
21 dispensing of a controlled substance in the course of the practitioner's  
22 professional practice; or

23 (B) by a practitioner or by the practitioner's authorized agent under  
24 such practitioner's supervision for the purpose of or as an incident to  
25 research, teaching or chemical analysis or by a pharmacist or medical care  
26 facility as an incident to dispensing of a controlled substance; or

27 (2) the addition of diluents or adulterants, including, but not limited to,  
28 quinine hydrochloride, mannitol, mannite, dextrose or lactose, which  
29 are intended for use in cutting a controlled substance.

30 (j) "Marijuana" means all parts of all varieties of the plant Cannabis  
31 whether growing or not, the seeds thereof, the resin extracted from any  
32 part of the plant and every compound, manufacture, salt, derivative,  
33 mixture or preparation of the plant, its seeds or resin. "Marijuana" does not  
34 include: (1) The mature stalks of the plant, fiber produced from the  
35 stalks, oil or cake made from the seeds of the plant, any other compound,  
36 manufacture, salt, derivative, mixture or preparation of the mature stalks,  
37 except the resin extracted therefrom, fiber, oil or cake or the sterilized seed  
38 of the plant which is incapable of germination; or (2) any substance  
39 listed in schedules II through V of the uniform controlled substances  
40 act}.

41 (k) "Minor" means a person under 18 years of age.

42 (l) "Narcotic drug" means any of the following whether produced  
43 directly or indirectly by extraction from substances of vegetable origin or

1 independently by means of chemical synthesis or by a combination of  
2 extraction and chemical synthesis:

3 (1) Opium and opiate and any salt, compound, derivative or  
4 preparation of opium or opiate;

5 (2) any salt, compound, isomer, derivative or preparation thereof  
6 which is chemically equivalent or identical with any of the substances  
7 referred to in paragraph (1) but not including the isoquinoline alkaloids of  
8 opium;

9 (3) opium poppy and poppy straw;

10 (4) coca leaves and any salt, compound, derivative or preparation of  
11 coca leaves and any salt, compound, isomer, derivative or preparation  
12 thereof which is chemically equivalent or identical with any of these  
13 substances, but not including decocainized coca leaves or extractions of  
14 coca leaves which do not contain cocaine or ecgonine.

15 (m) "Opiate" means any substance having an addiction-forming or  
16 addiction-sustaining liability similar to morphine or being capable of  
17 conversion into a drug having addiction-forming or addiction-sustaining  
18 liability. "Opiate" does not include, unless specifically designated as  
19 controlled under K.S.A. 65-4102, and amendments thereto, the  
20 dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts  
21 (dextromethorphan). "Opiate" does include its racemic and levorotatory  
22 forms.

23 (n) "Opium poppy" means the plant of the species *Papaver*  
24 *somniferum* L. except its seeds.

25 (o) "Person" means individual, corporation, government or  
26 governmental subdivision or agency, business trust, estate, trust,  
27 partnership, association or any other legal entity.

28 (p) "Poppy straw" means all parts, except the seeds, of the opium  
29 poppy, after mowing.

30 (q) "Possession" means having joint or exclusive control over an item  
31 with knowledge of and intent to have such control or knowingly keeping  
32 some item in a place where the person has some measure of access and  
33 right of control.

34 (r) "School property" means property upon which is located a  
35 structure used by a unified school district or an accredited nonpublic  
36 school for student instruction or attendance or extracurricular activities of  
37 pupils enrolled in kindergarten or any of the grades one through 12. This  
38 definition shall not be construed as requiring that school be in session or  
39 that classes are actually being held at the time of the offense or that  
40 children must be present within the structure or on the property during the  
41 time of any alleged criminal act. If the structure or property meets the  
42 above definition, the actual use of that structure or property at the time  
43 alleged shall not be a defense to the crime charged or the sentence

1 imposed.

2 (s) "Simulated controlled substance" means any product which  
3 identifies itself by a common name or slang term associated with a  
4 controlled substance and which indicates on its label or accompanying  
5 promotional material that the product simulates the effect of a controlled  
6 substance.

7 Sec. 2. K.S.A. 2016 Supp. 65-4101 is hereby amended to read as  
8 follows: 65-4101. As used in this act: (a) "Administer" means the direct  
9 application of a controlled substance, whether by injection, inhalation,  
10 ingestion or any other means, to the body of a patient or research subject  
11 by:

12 (1) A practitioner or pursuant to the lawful direction of a practitioner;  
13 or

14 (2) the patient or research subject at the direction and in the presence  
15 of the practitioner.

16 (b) "Agent" means an authorized person who acts on behalf of or at  
17 the direction of a manufacturer, distributor or dispenser. It does not include  
18 a common carrier, public warehouseman or employee of the carrier or  
19 warehouseman.

20 (c) "Application service provider" means an entity that sells  
21 electronic prescription or pharmacy prescription applications as a hosted  
22 service where the entity controls access to the application and maintains  
23 the software and records on its server.

24 (d) "Board" means the state board of pharmacy.

25 (e) "Bureau" means the bureau of narcotics and dangerous drugs,  
26 United States department of justice, or its successor agency.

27 (f) "Controlled substance" means any drug, substance or immediate  
28 precursor included in any of the schedules designated in K.S.A. 65-4105,  
29 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

30 (g) (1) "Controlled substance analog" means a substance that is  
31 intended for human consumption, and *at least one of the following*:

32 (A) The chemical structure of ~~which~~ *the substance* is substantially  
33 similar to the chemical structure of a controlled substance listed in or  
34 added to the schedules designated in K.S.A. 65-4105 or 65-4107, and  
35 amendments thereto;

36 (B) ~~which~~ *the substance* has a stimulant, depressant or hallucinogenic  
37 effect on the central nervous system substantially similar to the stimulant,  
38 depressant or hallucinogenic effect on the central nervous system of a  
39 controlled substance included in the schedules designated in K.S.A. 65-  
40 4105 or 65-4107, and amendments thereto; or

41 (C) with respect to a particular individual, ~~which~~ such individual  
42 represents or intends *the substance* to have a stimulant, depressant or  
43 hallucinogenic effect on the central nervous system substantially similar to

1 the stimulant, depressant or hallucinogenic effect on the central nervous  
2 system of a controlled substance included in the schedules designated in  
3 K.S.A. 65-4105 or 65-4107, and amendments thereto.

4 (2) "Controlled substance analog" does not include:

5 (A) A controlled substance;

6 (B) a substance for which there is an approved new drug application;

7 or

8 (C) a substance with respect to which an exemption is in effect for  
9 investigational use by a particular person under section 505 of the federal  
10 food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with  
11 respect to the substance is permitted by the exemption.

12 (h) "Counterfeit substance" means a controlled substance which, or  
13 the container or labeling of which, without authorization bears the  
14 trademark, trade name or other identifying mark, imprint, number or  
15 device or any likeness thereof of a manufacturer, distributor or dispenser  
16 other than the person who in fact manufactured, distributed or dispensed  
17 the substance.

18 (i) "Cultivate" means the planting or promotion of growth of five or  
19 more plants which contain or can produce controlled substances.

20 (j) "DEA" means the U.S. department of justice, drug enforcement  
21 administration.

22 (k) "Deliver" or "delivery" means the actual, constructive or  
23 attempted transfer from one person to another of a controlled substance,  
24 whether or not there is an agency relationship.

25 (l) "Dispense" means to deliver a controlled substance to an ultimate  
26 user or research subject by or pursuant to the lawful order of a practitioner,  
27 including the packaging, labeling or compounding necessary to prepare the  
28 substance for that delivery, or pursuant to the prescription of a mid-level  
29 practitioner.

30 (m) "Dispenser" means a practitioner or pharmacist who dispenses, or  
31 a physician assistant who has authority to dispense prescription-only drugs  
32 in accordance with K.S.A. 65-28a08(b), and amendments thereto.

33 (n) "Distribute" means to deliver other than by administering or  
34 dispensing a controlled substance.

35 (o) "Distributor" means a person who distributes.

36 (p) "Drug" means: (1) Substances recognized as drugs in the official  
37 United States—~~pharmacopoeia~~ *pharmacopeia*, official homeopathic  
38 pharmacopoeia of the United States or official national formulary or any  
39 supplement to any of them; (2) substances intended for use in the  
40 diagnosis, cure, mitigation, treatment or prevention of disease in human or  
41 animals; (3) substances (other than food) intended to affect the structure or  
42 any function of the body of human or animals; and (4) substances intended  
43 for use as a component of any article specified in paragraph (1), (2) or (3).

1 It does not include devices or their components, parts or accessories.

2 (q) "Immediate precursor" means a substance which the board has  
3 found to be and by rule and regulation designates as being the principal  
4 compound commonly used or produced primarily for use and which is an  
5 immediate chemical intermediary used or likely to be used in the  
6 manufacture of a controlled substance, the control of which is necessary to  
7 prevent, curtail or limit manufacture.

8 (r) "Electronic prescription" means an electronically prepared  
9 prescription that is authorized and transmitted from the prescriber to the  
10 pharmacy by means of electronic transmission.

11 (s) "Electronic prescription application" means software that is used  
12 to create electronic prescriptions and that is intended to be installed on the  
13 prescriber's computers and servers where access and records are controlled  
14 by the prescriber.

15 (t) "Electronic signature" means a confidential personalized digital  
16 key, code, number or other method for secure electronic data transmissions  
17 which identifies a particular person as the source of the message,  
18 authenticates the signatory of the message and indicates the person's  
19 approval of the information contained in the transmission.

20 (u) "Electronic transmission" means the transmission of an electronic  
21 prescription, formatted as an electronic data file, from a prescriber's  
22 electronic prescription application to a pharmacy's computer, where the  
23 data file is imported into the pharmacy prescription application.

24 (v) "Electronically prepared prescription" means a prescription that is  
25 generated using an electronic prescription application.

26 (w) "Facsimile transmission" or "fax transmission" means the  
27 transmission of a digital image of a prescription from the prescriber or the  
28 prescriber's agent to the pharmacy. "Facsimile transmission" includes, but  
29 is not limited to, transmission of a written prescription between the  
30 prescriber's fax machine and the pharmacy's fax machine; transmission of  
31 an electronically prepared prescription from the prescriber's electronic  
32 prescription application to the pharmacy's fax machine, computer or  
33 printer; or transmission of an electronically prepared prescription from the  
34 prescriber's fax machine to the pharmacy's fax machine, computer or  
35 printer.

36 (x) "Intermediary" means any technology system that receives and  
37 transmits an electronic prescription between the prescriber and the  
38 pharmacy.

39 (y) "Isomer" means all enantiomers and diastereomers.

40 (z) "Manufacture" means the production, preparation, propagation,  
41 compounding, conversion or processing of a controlled substance either  
42 directly or indirectly or by extraction from substances of natural origin or  
43 independently by means of chemical synthesis or by a combination of



1 extraction and chemical synthesis and includes any packaging or  
2 repackaging of the substance or labeling or relabeling of its container,  
3 except that this term does not include the preparation or compounding of a  
4 controlled substance by an individual for the individual's own lawful use  
5 or the preparation, compounding, packaging or labeling of a controlled  
6 substance:

7 (1) By a practitioner or the practitioner's agent pursuant to a lawful  
8 order of a practitioner as an incident to the practitioner's administering or  
9 dispensing of a controlled substance in the course of the practitioner's  
10 professional practice; or

11 (2) by a practitioner or by the practitioner's authorized agent under  
12 such practitioner's supervision for the purpose of or as an incident to  
13 research, teaching or chemical analysis or by a pharmacist or medical care  
14 facility as an incident to dispensing of a controlled substance.

15 (aa) "Marijuana" means all parts of all varieties of the plant Cannabis  
16 whether growing or not, the seeds thereof, the resin extracted from any  
17 part of the plant and every compound, manufacture, salt, derivative,  
18 mixture or preparation of the plant, its seeds or resin. It does not include{;  
19 **(1)}** The mature stalks of the plant, fiber produced from the stalks, oil or  
20 cake made from the seeds of the plant, any other compound, manufacture,  
21 salt, derivative, mixture or preparation of the mature stalks, except the  
22 resin extracted therefrom, fiber, oil; or cake or the sterilized seed of the  
23 plant which is incapable of germination{; **or (2) any substance listed in**  
24 **schedules II through V of the uniform controlled substances act}**.

25 (bb) "Medical care facility" shall have the meaning ascribed to that  
26 term in K.S.A. 65-425, and amendments thereto.

27 (cc) "Mid-level practitioner" means a certified nurse-midwife  
28 engaging in the independent practice of midwifery under the independent  
29 practice of midwifery act, an advanced practice registered nurse issued a  
30 license pursuant to K.S.A. 65-1131, and amendments thereto, who has  
31 authority to prescribe drugs pursuant to a written protocol with a  
32 responsible physician under K.S.A. 65-1130, and amendments thereto, or a  
33 physician assistant licensed under the physician assistant licensure act who  
34 has authority to prescribe drugs pursuant to a written agreement with a  
35 supervising physician under K.S.A. 65-28a08, and amendments thereto.

36 (dd) "Narcotic drug" means any of the following whether produced  
37 directly or indirectly by extraction from substances of vegetable origin or  
38 independently by means of chemical synthesis or by a combination of  
39 extraction and chemical synthesis:

40 (1) Opium and opiate and any salt, compound, derivative or  
41 preparation of opium or opiate;

42 (2) any salt, compound, isomer, derivative or preparation thereof  
43 which is chemically equivalent or identical with any of the substances

1 referred to in paragraph (1) but not including the isoquinoline alkaloids of  
2 opium;

3 (3) opium poppy and poppy straw;

4 (4) coca leaves and any salt, compound, derivative or preparation of  
5 coca leaves, and any salt, compound, isomer, derivative or preparation  
6 thereof which is chemically equivalent or identical with any of these  
7 substances, but not including decocainized coca leaves or extractions of  
8 coca leaves which do not contain cocaine or ecgonine.

9 (ee) "Opiate" means any substance having an addiction-forming or  
10 addiction-sustaining liability similar to morphine or being capable of  
11 conversion into a drug having addiction-forming or addiction-sustaining  
12 liability. It does not include, unless specifically designated as controlled  
13 under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer  
14 of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does  
15 include its racemic and levorotatory forms.

16 (ff) "Opium poppy" means the plant of the species *Papaver*  
17 *somniferum* L. except its seeds.

18 (gg) "Person" means an individual, corporation, government, or  
19 governmental subdivision or agency, business trust, estate, trust,  
20 partnership or association or any other legal entity.

21 (hh) "Pharmacist" means any natural person licensed under K.S.A.  
22 65-1625 et seq., and amendments thereto, to practice pharmacy.

23 (ii) "Pharmacist intern" means: (1) A student currently enrolled in an  
24 accredited pharmacy program; (2) a graduate of an accredited pharmacy  
25 program serving such person's internship; or (3) a graduate of a pharmacy  
26 program located outside of the United States which is not accredited and  
27 who had successfully passed equivalency examinations approved by the  
28 board.

29 (jj) "Pharmacy prescription application" means software that is used  
30 to process prescription information, is installed on a pharmacy's computers  
31 and servers, and is controlled by the pharmacy.

32 (kk) "Poppy straw" means all parts, except the seeds, of the opium  
33 poppy, after mowing.

34 (ll) "Practitioner" means a person licensed to practice medicine and  
35 surgery, dentist, podiatrist, veterinarian, optometrist, or scientific  
36 investigator or other person authorized by law to use a controlled  
37 substance in teaching or chemical analysis or to conduct research with  
38 respect to a controlled substance.

39 (mm) "Prescriber" means a practitioner or a mid-level practitioner.

40 (nn) "Production" includes the manufacture, planting, cultivation,  
41 growing or harvesting of a controlled substance.

42 (oo) "Readily retrievable" means that records kept by automatic data  
43 processing applications or other electronic or mechanized recordkeeping

1 systems can be separated out from all other records within a reasonable  
2 time not to exceed 48 hours of a request from the board or other authorized  
3 agent or that hard-copy records are kept on which certain items are  
4 asterisked, redlined or in some other manner visually identifiable apart  
5 from other items appearing on the records.

6 (pp) "Ultimate user" means a person who lawfully possesses a  
7 controlled substance for such person's own use or for the use of a member  
8 of such person's household or for administering to an animal owned by  
9 such person or by a member of such person's household.

10 Sec. 3. K.S.A. 2016 Supp. 65-4102 is hereby amended to read as  
11 follows: 65-4102. (a) The board shall administer this act and may adopt  
12 rules and regulations relating to the registration and control of the  
13 manufacture, distribution and dispensing of controlled substances within  
14 this state. All rules and regulations of the board shall be adopted in  
15 conformance with article 4 of chapter 77 of the Kansas Statutes Annotated,  
16 *and amendments thereto*, and the procedures prescribed by this act.

17 (b) Annually, the board shall submit to the speaker of the house of  
18 representatives and the president of the senate a report on substances  
19 proposed by the board for scheduling, rescheduling or deletion by the  
20 legislature with respect to any one of the schedules as set forth in this act;  
21 ~~and reasons for the proposal shall be submitted by the board therewith~~ *and*  
22 *a report of the substances scheduled during the preceding calendar year*  
23 *under subsection (e), if any, along with the reasons for the proposal and*  
24 *the scheduling*. In making a determination regarding the proposal to  
25 schedule, reschedule or delete a substance, the board shall consider the  
26 following:

- 27 (1) The actual or relative potential for abuse;
- 28 (2) the scientific evidence of its pharmacological effect, if known;
- 29 (3) the state of current scientific knowledge regarding the substance;
- 30 (4) the history and current pattern of abuse;
- 31 (5) the scope, duration and significance of abuse;
- 32 (6) the risk to the public health;
- 33 (7) the potential of the substance to produce psychological or  
34 physiological dependence liability; and
- 35 (8) whether the substance is an immediate precursor of a substance  
36 already controlled under this article.

37 (c) The board shall not include any nonnarcotic substance within a  
38 schedule if such substance may be lawfully sold over the counter without a  
39 prescription under the federal food, drug and cosmetic act.

40 (d) Authority to control under this section does not extend to distilled  
41 spirits, wine, malt beverages or tobacco.

42 (e) (1) Upon receipt of notice under K.S.A. 2016 Supp. 21-5715, and  
43 amendments thereto, *or upon the board's finding of an imminent hazard to*

1 *the public safety*, the board shall initiate scheduling of the controlled  
2 substance analog *or a new drug, as defined in this subsection*, on an  
3 emergency basis pursuant to this subsection. The scheduling of a substance  
4 under this subsection expires ~~one year~~ *on July 1 of the following calendar*  
5 *year* after the adoption of the scheduling rule *and regulation*.

6 (2) With respect to the finding of an imminent hazard to the public  
7 safety, the board shall consider whether the substance has been scheduled  
8 on a temporary basis under federal law or factors set forth in subsections  
9 (b)(4), (5) and (6), and may also consider clandestine importation,  
10 manufacture or distribution, and if available, information concerning the  
11 other factors set forth in subsection (b).

12 (3) A rule *and regulation* may not be adopted under this subsection  
13 until the board initiates a rulemaking proceeding under subsection (a) with  
14 respect to the substance. ~~A rule adopted under this subsection lapses upon~~  
15 ~~the conclusion of the rulemaking proceeding initiated under subsection (a)~~  
16 ~~with respect to the substance.~~ *A rule and regulation adopted under this*  
17 *subsection shall expire on July 1 of the calendar year following the year of*  
18 *its adoption.*

19 (4) *As used in this subsection, "new drug" means: (A) Any drug the*  
20 *composition of which is such that such drug is not generally recognized,*  
21 *among experts qualified by scientific training and experience to evaluate*  
22 *the safety and effectiveness of drugs, as safe and effective for use under*  
23 *the conditions prescribed, recommended or suggested in the labeling*  
24 *thereof; or (B) any drug the composition of which is such that such drug,*  
25 *as a result of investigations to determine its safety and effectiveness for*  
26 *use under such conditions, has become so recognized, but that has not,*  
27 *other than in such investigations, been used to a material extent or for a*  
28 *material time under such conditions. The term "new drug" shall not*  
29 *include amygdalin (laetrile).*

30 Sec. 4. K.S.A. 2016 Supp. 65-4105 is hereby amended to read as  
31 follows: 65-4105. (a) The controlled substances listed in this section are  
32 included in schedule I and the number set forth opposite each drug or  
33 substance is the DEA controlled substances code which has been assigned  
34 to it.

35 (b) Any of the following opiates, including their isomers, esters,  
36 ethers, salts, and salts of isomers, esters and ethers, unless specifically  
37 excepted, whenever the existence of these isomers, esters, ethers and salts  
38 is possible within the specific chemical designation:

- 39 (1) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-  
40 phenylacetamide).....9821  
41 (2) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-  
42 piperidinyl]-N-phenylacetamide).....9815  
43 (3) Acetylmethadol.....9601

1	(4)	<i>AH-7921 (3,4-dichloro-N-[1-</i>	
2		<i>dimethylaminocyclohexylmethyl]benzamide)</i> .....	9551
3	(4)(5)	Allylprodine.....	9602
4	(5)(6)	Alphacetylmethadol.....	9603
5		(except levo-alphacetylmethadol also known as levo-alpha-	
6		acetylmethadol, levomethadyl acetate or LAAM)	
7	(6)(7)	Alphameprodine.....	9604
8	(7)(8)	Alphamethadol.....	9605
9	(8)(9)	Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-	
10		4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-	
11		propanilido) piperidine).....	9814
12	(9)(10)	Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-	
13		piperidinyl]-N-phenylpropanamide).....	9832
14	(10)(11)	Benzethidine.....	9606
15	(11)(12)	Betacetylmethadol.....	9607
16	(12)(13)	Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-	
17		piperidinyl]-N-phenylpropanamide).....	9830
18	(13)(14)	Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-	
19		2-phenethyl)-3-methyl-4-piperidinyl]-N-	
20		phenylpropanamide).....	9831
21	(15)	<i>Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-</i>	
22		<i>yl)ethyl]piperidin-4-yl]-N-phenylpropionamide)</i> .....	9836
23	(14)(16)	Betameprodine.....	9608
24	(15)(17)	Betamethadol.....	9609
25	(16)(18)	Betaprodine.....	9611
26	(19)	<i>Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-</i>	
27		<i>phenylbutyramide)</i> .....	9822
28	(17)(20)	Clonitazene.....	9612
29	(18)(21)	Dextromoramide.....	9613
30	(19)(22)	Diampromide.....	9615
31	(20)(23)	Diethylthiambutene.....	9616
32	(21)(24)	Difenoxin.....	9168
33	(22)(25)	Dimenoxadol.....	9617
34	(23)(26)	Dimepheptanol.....	9618
35	(24)(27)	Dimethylthiambutene.....	9619
36	(25)(28)	Dioxaphetyl butyrate.....	9621
37	(26)(29)	Dipipanone.....	9622
38	(27)(30)	Ethylmethylthiambutene.....	9623
39	(28)(31)	Etonitazene.....	9624
40	(29)(32)	Etoxidine.....	9625
41	(33)	<i>Furanyl fentanyl N-(1-phenethylpiperidin-4-yl)-N-</i>	
42		<i>phenylfuran-2-carboxamide)</i> .....	9834
43	(30)(34)	Furethidine.....	9626

1	<del>(31)</del> (35)	Hydroxypethidine.....	9627
2	<del>(32)</del> (36)	Ketobemidone.....	9628
3	<del>(33)</del> (37)	Levomoramide.....	9629
4	<del>(34)</del> (38)	Levophenacymorphan.....	9631
5	<del>(35)</del> (39)	3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-	
6		N-phenylpropanamide).....	9813
7	<del>(36)</del> (40)	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-	
8		piperidinyl]-N-phenylpropanamide).....	9833
9	<del>(37)</del> (41)	Morpheridine.....	9632
10	(42)	<i>O-desmethyltramadol</i> Some trade or other names: 2-	
11		((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol;	
12		3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol	
13	<del>(38)</del> (43)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661
14	<del>(39)</del> (44)	Noracymethadol.....	9633
15	<del>(40)</del> (45)	Norlevorphanol.....	9634
16	<del>(41)</del> (46)	Normethadone.....	9635
17	<del>(42)</del> (47)	Norpipanone.....	9636
18	<del>(43)</del> (48)	Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-	
19		(2-phenethyl)-4-piperidinyl]propanamide).....	9812
20	<del>(44)</del> (49)	PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine)....	9663
21	<del>(45)</del> (50)	Phenadoxone.....	9637
22	<del>(46)</del> (51)	Phenampromide.....	9638
23	<del>(47)</del> (52)	Phenomorphane.....	9647
24	<del>(48)</del> (53)	Phenoperidine.....	9641
25	<del>(49)</del> (54)	Piritramide.....	9642
26	<del>(50)</del> (55)	Proheptazine.....	9643
27	<del>(51)</del> (56)	Propерidine.....	9644
28	<del>(52)</del> (57)	Propiram.....	9649
29	<del>(53)</del> (58)	Racemoramide.....	9645
30	<del>(54)</del> (59)	Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-	
31		piperidinyl]-propanamide).....	9835
32	<del>(55)</del> (60)	Tilidine .....	9750
33	<del>(56)</del> (61)	Trimeperidine.....	9646
34	(62)	<i>U-47700</i> (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-	
35		<i>N-methylbenzamide</i> )	
36	(c)	Any of the following opium derivatives, their salts, isomers and	
37		salts of isomers, unless specifically excepted, whenever the existence of	
38		these salts, isomers and salts of isomers is possible within the specific	
39		chemical designation:	
40	(1)	Acetorphine.....	9319
41	(2)	Acetyldihydrocodeine.....	9051
42	(3)	Benzylmorphine.....	9052
43	(4)	Codeine methylbromide.....	9070

1	(5)	Codeine-N-Oxide.....	9053
2	(6)	Cyprenorphine.....	9054
3	(7)	Desomorphine.....	9055
4	(8)	Dihydromorphine.....	9145
5	(9)	Drotebanol.....	9335
6	(10)	Etorphine (except hydrochloride salt).....	9056
7	(11)	Heroin 9200	
8	(12)	Hydromorphinol.....	9301
9	(13)	Methyldesorphine.....	9302
10	(14)	Methyldihydromorphine.....	9304
11	(15)	Morphine methylbromide.....	9305
12	(16)	Morphine methylsulfonate.....	9306
13	(17)	Morphine-N-Oxide.....	9307
14	(18)	Myrophine.....	9308
15	(19)	Nicocodeine.....	9309
16	(20)	Nicomorphine.....	9312
17	(21)	Normorphine.....	9313
18	(22)	Pholcodine.....	9314
19	(23)	Thebacon.....	9315
20	(d)	Any material, compound, mixture or preparation which contains	
21		any quantity of the following hallucinogenic substances, their salts,	
22		isomers and salts of isomers, unless specifically excepted, whenever the	
23		existence of these salts, isomers and salts of isomers is possible within the	
24		specific chemical designation:	
25	(1)	<i>Alpha-ethyltryptamine 7249</i> Some trade or other names:	
26		<i>etryptamine; Monase; <math>\alpha</math>-ethyl-1H-indole-3-ethanamine; 3-</i>	
27		<i>(2-aminobutyl) indole; <math>\alpha</math>-ET; and AET.</i>	
28	(2)	4-bromo-2,5-dimethoxy-amphetamine.....	7391
29		Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-	
30		methylphenethylamine; 4-bromo-2,5-DMA.	
31	<del>(2)</del> (3)	2,5-dimethoxyamphetamine.....	7396
32		Some trade or other names: 2,5-dimethoxy-alpha-methyl-	
33		phenethylamine; 2,5-DMA.	
34	<del>(3)</del> (4)	4-methoxyamphetamine.....	7411
35		Some trade or other names: 4-methoxy-alpha-methylphene-	
36		thylamine; paramethoxyamphetamine; PMA.	
37	<del>(4)</del> (5)	5-methoxy-3,4-methylenedioxy-amphetamine.....	7401
38	<del>(5)</del> (6)	4-methyl-2,5-dimethoxy-amphetamine.....	7395
39		Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-	
40		methylphenethylamine; "DOM"; and "STP".	
41	<del>(6)</del> (7)	3,4-methylenedioxy amphetamine.....	7400
42	<del>(7)</del> (8)	3,4-methylenedioxymethamphetamine (MDMA).....	7405
43	<del>(8)</del> (9)	3,4-methylenedioxy-N-ethylamphetamine (also known as	

1	N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine,	
2	N-ethyl MDA, MDE, and MDEA).....	7404
3	<del>(9)</del> (10) N-hydroxy-3,4-methylenedioxyamphetamine (also known	
4	as N-hydroxy-alpha-methyl-3,4-(methylenedioxy)	
5	phenethylamine, and N-hydroxy MDA).....	7402
6	<del>(10)</del> (11) 3,4,5-trimethoxy amphetamine.....	7390
7	<del>(11)</del> (12) Bufotenine.....	7433
8	Some trade or other names: 3-(Beta-Dimethylaminoethyl)-	
9	5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,	
10	N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine;	
11	mappine.	
12	<del>(12)</del> (13) Diethyltryptamine.....	7434
13	Some trade or other names: N,N-Diethyltryptamine; DET.	
14	<del>(13)</del> (14) Dimethyltryptamine.....	7435
15	Some trade or other names: DMT.	
16	<del>(14)</del> (15) Ibogaine.....	7260
17	Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-	
18	octahydro-2-methoxy-6,9-methano -5H-pyrido[1',2':1,2]	
19	azepino [5,4-b]indole; Tabernanthe iboga	
20	<del>(15)</del> (16) Lysergic acid diethylamide.....	7315
21	<del>(16)</del> (17) Marijuana.....	7360
22	<del>(17)</del> (18) Mescaline.....	7381
23	<del>(18)</del> (19) Parahexyl.....	7374
24	Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-	
25	tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.	
26	<del>(19)</del> (20) Peyote .....	7415
27	Meaning all parts of the plant presently classified botanically	
28	as Lophophora williamsii Lemaire, whether growing or	
29	not, the seeds thereof, any extract from any part of such plant,	
30	and every compound, manufacture, salts, derivative, mixture	
31	or preparation of such plant, its seeds or extracts.	
32	<del>(20)</del> (21) N-ethyl-3-piperidyl benzilate.....	7482
33	<del>(21)</del> (22) N-methyl-3-piperidyl benzilate.....	7484
34	<del>(22)</del> (23) Psilocybin.....	7437
35	<del>(23)</del> (24) Psilocyn.....	7438
36	Some trade or other names: Psilocin.	
37	<del>(24)</del> (25) Ethylamine analog of phencyclidine.....	7455
38	Some trade or other names: N-ethyl-1-phenyl-cyclo-	
39	hexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-	
40	phenylcyclohexyl)ethylamine; cyclohexamine; PCE.	
41	<del>(25)</del> (26) Pyrrolidine analog of phencyclidine.....	7458
42	Some trade or other names: 1-(1-phenylcyclohexyl)-	
43	pyrrolidine; PCPy; PHP.	



1	<del>(26)</del> (27)	Thiophene analog of phencyclidine.....	7470
2		Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-	
3		piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.	
4	<del>(27)</del> (28)	1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....	7473
5		Some other names: TCPy.	
6	<del>(28)</del> (29)	2,5-dimethoxy-4-ethylamphetamine.....	7399
7		Some trade or other names: DOET.	
8	<del>(29)</del> (30)	Salvia divinorum or salvinatorum A; all parts of the plant	
9		presently classified botanically as salvia divinorum, whether	
10		growing or not, the seeds thereof, any extract from any part of	
11		such plant, and every compound, manufacture, salts, derivative,	
12		mixture or preparation of such plant, its seeds or extracts.	
13	<del>(30)</del> (31)	Datura stramonium, commonly known as gypsum weed or	
14		jimson weed; all parts of the plant presently classified	
15		botanically as datura stramonium, whether growing or not, the	
16		seeds thereof, any extract from any part of such plant, and every	
17		compound, manufacture, salts, derivative, mixture or	
18		preparation of such plant, its seeds or extracts.	
19	<del>(31)</del> (32)	N-benzylpiperazine.....	7493
20		Some trade or other names: BZP.	
21	<del>(32)</del> (33)	1-(3-[trifluoromethylphenyl])piperazine	
22		Some trade or other names: TFMPP.	
23	<del>(33)</del> (34)	4-Bromo-2,5-dimethoxyphenethylamine.....	7392
24	<del>(34)</del> (35)	2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7),	
25		its optical isomers, salts and salts of optical isomers.....	7348
26	<del>(35)</del> (36)	Alpha-methyltryptamine (other name: AMT).....	7432
27	<del>(36)</del> (37)	5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its	
28		isomers, salts and salts of isomers.....	7439
29	<del>(37)</del> (38)	2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....	7509
30	<del>(38)</del> (39)	2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....	7508
31	<del>(39)</del> (40)	2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....	7519
32	<del>(40)</del> (41)	2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....	7518
33	<del>(41)</del> (42)	2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine	
34		(2C-T-2).....	7385
35	<del>(42)</del> (43)	2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine	
36		(2C-T-4).....	7532
37	<del>(43)</del> (44)	2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....	7517
38	<del>(44)</del> (45)	2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....	7521
39	<del>(45)</del> (46)	2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P). .	7524
40	<del>(46)</del> (47)	5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....	7431
41		Some trade or other names: 5-methoxy-3-[2-(dimethylamino)	
42		ethyl]indole.	
43	<del>(47)</del> (48)	2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)	

1	ethanamine.....	7538
2	Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I;	
3	Cimbi-5.	
4	<del>(48)</del> (49) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)	
5	ethanamine.....	7537
6	Some trade or other names: 25C-NBOMe; 2C-C-NBOMe;	
7	25C; Cimbi-82.	
8	<del>(49)</del> (50) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-	
9	methoxybenzyl)ethanamine.....	7536
10	Some trade or other names: 25B-NBOMe; 2C-B-NBOMe;	
11	25B; Cimbi-36.	
12	<del>(50)</del> (51) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine	
13	Some trade or other names: 25H-NBOMe.	
14	<del>(51)</del> (52) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-	
15	methoxybenzyl)ethanamine	
16	Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.	
17	<del>(52)</del> (53) 2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)	
18	ethanamine	
19	Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.	
20	(e) Any material, compound, mixture or preparation which contains	
21	any quantity of the following substances having a depressant effect on the	
22	central nervous system, including its salts, isomers, and salts of isomers	
23	whenever the existence of such salts, isomers, and salts of isomers is	
24	possible within the specific chemical designation:	
25	(1) <i>Etizolam</i> Some trade or other names: (4-(2-chlorophenyl)-2-	
26	ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a]	
27	[1,4]diazepine)	
28	(2) Mecloqualone.....	2572
29	<del>(2)</del> (3) Methaqualone.....	2565
30	<del>(3)</del> (4) Gamma hydroxybutyric acid	
31	(f) Unless specifically excepted or unless listed in another schedule,	
32	any material, compound, mixture or preparation which contains any	
33	quantity of the following substances having a stimulant effect on the	
34	central nervous system, including its salts, isomers and salts of isomers:	
35	(1) <i>Aminorex 1585</i> some other names: <i>Aminoxaphen 2-amino-5-</i>	
36	<i>phenyl-2-oxazoline</i> or <i>4,5-dihydro-5-phenyl-2-oxazolamine</i>	
37	(2) Fenethylamine.....	1503
38	<del>(2)</del> (3) N-ethylamphetamine.....	1475
39	<del>(3)</del> (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-	
40	phenyl-2-oxazolamine).....	1590
41	<del>(4)</del> (5) N,N-dimethylamphetamine (also known as N,N-alpha-	
42	trimethyl-benzeneethanamine; N,N-alpha-	
43	trimethylphenethylamine).....	1480

1	<del>(5)</del> (6)	Cathinone (some other names: 2-amino-1-phenol-1-propanone,	
2		alpha-amino propiophenone, 2-amino propiophenone and	
3		norphedrone).....	1235
4	<del>(6)</del> (7)	Substituted cathinones	
5		Any compound, except bupropion or compounds listed under a	
6		different schedule, structurally derived from 2-aminopropan-1-	
7		one by substitution at the 1-position with either phenyl,	
8		naphthyl, or thiophene ring systems, whether or not the	
9		compound is further modified in any of the following ways:	
10		(A) By substitution in the ring system to any extent with	
11		alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or	
12		halide substituents, whether or not further substituted	
13		in the ring system by one or more other univalent	
14		substituents;	
15		(B) by substitution at the 3-position with an acyclic alkyl	
16		substituent;	
17		(C) by substitution at the 2-amino nitrogen atom with	
18		alkyl, dialkyl, benzyl, or methoxybenzyl groups; or	
19		(D) by inclusion of the 2-amino nitrogen atom in a cyclic	
20		structure.	
21	(g)	Any material, compound, mixture or preparation which contains	
22		any quantity of the following substances:	
23	(1)	N-[1-benzyl-4-piperidyl]-N-phenylpropanamide	
24		(benzylfentanyl), its optical isomers, salts and salts of	
25		isomers .....	9818
26	(2)	N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide	
27		(thenylfentanyl), its optical isomers, salts and salts of	
28		isomers .....	9834
29	<del>(3)</del>	<del>Aminorex (some other names: Aminoxaphen 2-amino-5-</del>	
30		<del>phenyl 2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine, its</del>	
31		<del>salts, optical isomers and salts of optical isomers).....</del>	<del>1585</del>
32	<del>(4)</del>	<del>Alpha-ethyltryptamine, its optical isomers, salts and salts of</del>	
33		<del>isomers 7249</del>	
34		<del>Some other names: etryptamine, alpha-methyl-1H-indole-3-</del>	
35		<del>ethanamine; 3-(2-aminobutyl) indole.</del>	
36	(h)	Any of the following cannabinoids, their salts, isomers and salts	
37		of isomers, unless specifically excepted, whenever the existence of these	
38		salts, isomers and salts of isomers is possible within the specific chemical	
39		designation:	
40	(1)	Tetrahydrocannabinols.....	7370
41		Meaning tetrahydrocannabinols naturally contained in a plant of	
42		the genus Cannabis (cannabis plant), as well as synthetic	
43		equivalents of the substances contained in the plant, or in the	

1 resinous extractives of *Cannabis*, sp. and/or synthetic  
2 substances, derivatives, and their isomers with similar chemical  
3 structure and pharmacological activity such as the following:  
4 Delta 1 cis or trans tetrahydrocannabinol, and their optical  
5 isomers Delta 6 cis or trans tetrahydrocannabinol, and their  
6 optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and  
7 its optical isomers (Since nomenclature of these substances is  
8 not internationally standardized, compounds of these structures,  
9 regardless of numerical designation of atomic positions  
10 covered.)

11 (2) Naphthoylindoles

12 Any compound containing a 3-(1-naphthoyl)indole structure  
13 with substitution at the nitrogen atom of the indole ring by an  
14 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
15 *benzyl*, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)  
16 ethyl group, whether or not further substituted in the indole ring  
17 to any extent and whether or not substituted in the *benzyl or*  
18 naphthyl ring to any extent.

19 (3) Naphthylmethylindoles

20 Any compound containing a 1H-indol-3-yl-(1-  
21 naphthyl)methane structure with substitution at the nitrogen  
22 atom of the indole ring by an alkyl, haloalkyl, alkenyl,  
23 cycloalkylmethyl, cycloalkylethyl, *benzyl*, 1-(N-methyl-2-  
24 piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or  
25 not further substituted in the indole ring to any extent and  
26 whether or not substituted in the *benzyl or* naphthyl ring to any  
27 extent.

28 (4) Naphthoylpyrroles

29 Any compound containing a 3-(1-naphthoyl)pyrrole structure  
30 with substitution at the nitrogen atom of the pyrrole ring by an  
31 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
32 *benzyl*, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-  
33 morpholinyl)ethyl group whether or not further substituted in  
34 the pyrrole ring to any extent, whether or not substituted in the  
35 *benzyl or* naphthyl ring to any extent.

36 (5) Naphthylmethylindenes

37 Any compound containing a naphthylideneindene structure with  
38 substitution at the 3-position of the indene ring by an alkyl,  
39 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, *benzyl*, 1-  
40 (N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl  
41 group whether or not further substituted in the indene ring to  
42 any extent, whether or not substituted in the *benzyl or* naphthyl  
43 ring to any extent.

- 1 (6) Phenylacetylindoles  
2 Any compound containing a 3-phenylacetylindole structure  
3 with substitution at the nitrogen atom of the indole ring by an  
4 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
5 *benzyl*, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-  
6 morpholinyl)ethyl group whether or not further substituted in  
7 the indole ring to any extent, whether or not substituted in the  
8 *benzyl or phenyl* ring to any extent.
- 9 (7) Cyclohexylphenols  
10 Any compound containing a 2-(3-hydroxycyclohexyl)phenol  
11 structure with substitution at the 5-position of the phenolic ring  
12 by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
13 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-  
14 morpholinyl)ethyl group whether or not substituted in the  
15 cyclohexyl ring to any extent.
- 16 (8) Benzoylindoles  
17 Any compound containing a 3-(benzoyl)indole structure with  
18 substitution at the nitrogen atom of the indole ring by an alkyl,  
19 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, *benzyl*, 1-  
20 (N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl  
21 group whether or not further substituted in the indole ring to  
22 any extent and whether or not substituted in the *benzyl or*  
23 *phenyl* ring to any extent.
- 24 (9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-  
25 de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone. Some trade  
26 or other names: WIN 55,212-2.
- 27 (10) 9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-  
28 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol  
29 Some trade or other names: HU-210, HU-211.
- 30 (11) Tetramethylcyclopropanoylindoles  
31 Any compound containing a 3-tetramethylcyclopropanoylindole  
32 structure with substitution at the nitrogen atom of the indole  
33 ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,  
34 cycloalkylmethyl, cycloalkylethyl, *benzyl*, 1-(N-methyl-2-  
35 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
36 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
37 tetrahydropyranylmethyl group, whether or not further  
38 substituted in the indole ring to any extent and whether or not  
39 substituted in the *benzyl or tetramethylcyclopropyl* rings to any  
40 extent.
- 41 (12) Indole-3-carboxylate esters  
42 Any compound containing a 1H-indole-3-carboxylate ester  
43 structure with the ester oxygen bearing a naphthyl, quinolinyl,

1 isoquinolinyl or adamantyl group and substitution at the 1  
2 position of the indole ring by an alkyl, haloalkyl, alkenyl,  
3 cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-  
4 piperidinylmethyl or 2-(4-morpholinyl)ethyl group, whether or  
5 not further substituted on the indole ring to any extent and  
6 whether or not substituted on the naphthyl, quinolinyl,  
7 isoquinolinyl, adamantyl or benzyl groups to any extent.

8 (13) Indazole-3-carboxamides

9 Any compound containing a 1H-indazole-3-carboxamide  
10 structure with substitution at the nitrogen of the carboxamide by  
11 a naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-  
12 oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and  
13 substitution at the 1 position of the indazole ring by an alkyl,  
14 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,  
15 N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl  
16 group, whether or not further substituted on the indazole ring to  
17 any extent and whether or not substituted on the naphthyl,  
18 quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl,  
19 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

20 (14) (1H-indazol-3-yl)methanones

21 Any compound containing a (1H-indazol-3-yl)methanone  
22 structure with the carbonyl carbon bearing a naphthyl group and  
23 substitution at the 1 position of the indazole ring by an alkyl,  
24 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,  
25 N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl  
26 group, whether or not further substituted on the indazole ring to  
27 any extent and whether or not substituted on the naphthyl or  
28 benzyl groups to any extent.

29 Sec. 5. K.S.A. 2016 Supp. 65-4107 is hereby amended to read as  
30 follows: 65-4107. (a) The controlled substances listed in this section are  
31 included in schedule II 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 of the following substances, except those narcotic drugs  
35 listed in other schedules, whether produced directly or indirectly by  
36 extraction from substances of vegetable origin or independently by means  
37 of chemical synthesis or by combination of extraction and chemical  
38 synthesis:

39 (1) Opium and opiate and any salt, compound, derivative or  
40 preparation of opium or opiate, excluding apomorphine, dextrorphan,  
41 nalbuphine, nalmeferne, naloxone and naltrexone and their respective salts,  
42 but including the following:

43 (A) Raw opium.....9600

1	(B)	Opium extracts.....	9610
2	(C)	Opium fluid.....	9620
3	(D)	Powdered opium.....	9639
4	(E)	Granulated opium.....	9640
5	(F)	Tincture of opium.....	9630
6	(G)	Codeine.....	9050
7	(H)	Ethylmorphine.....	9190
8	(I)	Etorphine hydrochloride.....	9059
9	(J)	Hydrocodone.....	9193
10	(K)	Hydromorphone.....	9150
11	(L)	Metopon.....	9260
12	(M)	Morphine.....	9300
13	(N)	Oxycodone.....	9143
14	(O)	Oxymorphone.....	9652
15	(P)	Thebaine.....	9333
16	(Q)	Dihydroetorphine.....	9334
17	(R)	Oripavine.....	9330
18	(2)	Any salt, compound, isomer, derivative or preparation thereof	
19		which is chemically equivalent or identical with any of the substances	
20		referred to in paragraph (1), but not including the isoquinoline alkaloids of	
21		opium.	
22	(3)	Opium poppy and poppy straw.	
23	(4)	Coca leaves (9040) and any salt, compound, derivative or	
24		preparation of coca leaves, but not including decocainized coca leaves or	
25		extractions which do not contain cocaine (9041) or ecgonine (9180).	
26	(5)	Cocaine, its salts, isomers and salts of isomers (9041).	
27	(6)	Ecgonine, its salts, isomers and salts of isomers (9180).	
28	(7)	Concentrate of poppy straw (the crude extract of poppy straw in	
29		either liquid, solid or powder form which contains the phenanthrene	
30		alkaloids of the opium poppy) (9670).	
31	(c)	Any of the following opiates, including their isomers, esters,	
32		ethers, salts and salts of isomers, esters and ethers, whenever the existence	
33		of these isomers, esters, ethers and salts is possible within the specific	
34		chemical designation dextroprphan and levopropoxyphene excepted:	
35	(1)	Alfentanil.....	9737
36	(2)	Alphaprodine.....	9010
37	(3)	Anileridine.....	9020
38	(4)	Bezitramide.....	9800
39	(5)	Bulk dextropropoxyphene (nondosage forms).....	9273
40	(6)	Carfentanil.....	9743
41	(7)	Dihydrocodeine.....	9120
42	(8)	Diphenoxylate.....	9170
43	(9)	Fentanyl.....	9801

1	(10)	Isomethadone.....	9226
2	(11)	Levomethorphan.....	9210
3	(12)	Levorphanol.....	9220
4	(13)	Metazocine.....	9240
5	(14)	Methadone.....	9250
6	(15)	Methadone-intermediate,4-cyano-2-dimethyl amino-4,4-	
7		diphenyl butane.....	9254
8	(16)	Moramide-intermediate, 2-methyl-3-morpholino-1, 1-	
9		diphenylpropane-carboxylic acid.....	9802
10	(17)	Pethidine (meperidine).....	9230
11	(18)	Pethidine-intermediate-A, 4-cyano-1-methyl-4-	
12		phenylpiperidine.....	9232
13	(19)	Pethidine-intermediate-B, ethyl-4-phenyl-piperidine-4-	
14		carboxylate.....	9233
15	(20)	Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-	
16		carboxylic acid.....	9234
17	(21)	Phenazocine.....	9715
18	(22)	Piminodine.....	9730
19	(23)	Racemethorphan.....	9732
20	(24)	Racemorphan.....	9733
21	(25)	Sufentanil.....	9740
22	(26)	Levo-alphaacetyl methadol.....	9648
23		Some other names: levo-alpha-acetyl methadol, levomethadyl	
24		acetate or LAAM.	
25	(27)	Remifentanil.....	9739
26	(28)	Tapentadol.....	9780
27	(29)	<i>Thiafentanil</i> .....	9729
28	(d)	Any material, compound, mixture, or preparation which contains	
29		any quantity of the following substances having a potential for abuse	
30		associated with a stimulant effect on the central nervous system:	
31	(1)	Amphetamine, its salts, optical isomers and salts of its optical	
32		isomers.....	1100
33	(2)	Phenmetrazine and its salts.....	1631
34	(3)	Methamphetamine, including its salts, isomers and salts of	
35		isomers.....	1105
36	(4)	Methylphenidate.....	1724
37	(5)	Lisdexamfetamine, its salts, isomers, and salts of its	
38		isomers.....	1205
39	(e)	Unless specifically excepted or unless listed in another schedule,	
40		any material, compound, mixture or preparation which contains any	
41		quantity of the following substances having a depressant effect on the	
42		central nervous system, including its salts, isomers and salts of isomers	
43		whenever the existence of such salts, isomers and salts of isomers is	



- 1 possible within the specific chemical designation:
- 2 (1) Amobarbital.....2125
- 3 (2) Glutethimide.....2550
- 4 (3) Secobarbital.....2315
- 5 (4) Pentobarbital.....2270
- 6 (5) Phencyclidine.....7471
- 7 (f) Any material, compound, mixture, or preparation which contains
- 8 any quantity of the following substances:
- 9 (1) Immediate precursor to amphetamine and methamphetamine:
- 10 (A) Phenylacetone.....8501
- 11 Some trade or other names: phenyl-2-propanone; P2P; benzyl
- 12 methyl ketone; methyl benzyl ketone.
- 13 (2) Immediate precursors to phencyclidine (PCP):
- 14 (A) 1-phenylcyclohexylamine.....7460
- 15 (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
- 16 (g) Any material, compound, mixture or preparation which contains
- 17 any quantity of the following hallucinogenic substance, its salts, isomers
- 18 and salts of isomers, unless specifically excepted, whenever the existence
- 19 of these salts, isomers and salts of isomers is possible within the specific
- 20 chemical designation:
- 21 Nabilone .....7379
- 22 [Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-
- 23 6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
- 24 dibenzo[b,d]pyran-9-one]
- 25 (h) Any material, compound, mixture or preparation containing any
- 26 of the following narcotic drugs or any salts calculated as the free
- 27 anhydrous base or alkaloid, in limited quantities as set forth below:
- 28 (1) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or
- 29 any of its salts per 100 milliliters or not more than 15 milligrams
- 30 per dosage unit with a fourfold or greater quantity of an
- 31 isoquinoline alkaloid of opium.....9805
- 32 (2) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or
- 33 any of its salts per 100 milliliters or not more than 15 milligrams
- 34 per dosage unit with one or more active, nonnarcotic ingredients
- 35 in recognized therapeutic amounts.....9806
- 36 **{Sec. 6. K.S.A. 2016 Supp. 65-4111 is hereby amended to read as**
- 37 **follows: 65-4111. (a) The controlled substances listed in this section are**
- 38 **included in schedule IV and the number set forth opposite each drug**
- 39 **or substance is the DEA controlled substances code—~~which~~ *that* has**
- 40 **been assigned to it.**
- 41 **(b) Any material, compound, mixture or preparation—~~which~~ *that***
- 42 **contains any quantity of the following substances including its salts,**
- 43 **isomers and salts of isomers whenever the existence of such salts,**

1 isomers and salts of isomers is possible within the specific chemical  
2 designation and having a potential for abuse associated with a  
3 depressant effect on the central nervous system:

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

1	(41) Oxazolam.....	2839
2	(42) Paraldehyde.....	2585
3	(43) Petrichloral.....	2591
4	(44) Phenobarbital.....	2285
5	(45) Pinazepam.....	2883
6	(46) Prazepam.....	2764
7	(47) Quazepam.....	2881
8	(48) Temazepam.....	2925
9	(49) Tetrazepam.....	2886
10	(50) Triazolam.....	2887
11	(51) Zolpidem.....	2783
12	(52) Zaleplon.....	2781
13	(53) Zopiclone.....	2784
14	(54) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its	
15	salts, optical and geometric isomers and salts of these isomers	
16	(including tramadol).....	9752
17	(55) Alfaxalone.....	2731
18	(56) Suvorexant.....	2223
19	(c) Any material, compound, mixture, or preparation <del>which</del> <i>that</i>	
20	contains any quantity of fenfluramine (1670), including its salts,	
21	isomers (whether optical, position or geometric) and salts of such	
22	isomers, whenever the existence of such salts, isomers and salts of	
23	isomers is possible. The provisions of this subsection (c) shall expire on	
24	the date fenfluramine and its salts and isomers are removed from	
25	schedule IV of the federal controlled substances act (21 U.S.C. § 812;	
26	21 code of federal regulations 1308.14).	
27	(d) Any material, compound, mixture or preparation <del>which</del> <i>that</i>	
28	contains any quantity of lorcaserin (1625), including its salts, isomers	
29	and salts of such isomers, whenever the existence of such salts, isomers	
30	and salts of isomers is possible (21 U.S.C. § 812; 21 code of federal	
31	regulations 1308.14).	
32	(e) Unless specifically excepted or unless listed in another	
33	schedule, any material, compound, mixture or preparation <del>which</del> <i>that</i>	
34	contains any quantity of the following substances having a stimulant	
35	effect on the central nervous system, including its salts, isomers	
36	(whether optical, position or geometric) and salts of such isomers	
37	whenever the existence of such salts, isomers and salts of isomers is	
38	possible within the specific chemical designation:	
39	(1) Cathine ((+)-norpseudoephedrine).....	1230
40	(2) Diethylpropion.....	1610
41	(3) Fencamfamin.....	1760
42	(4) Fenproporex.....	1575
43	(5) Mazindol.....	1605

- 1 (6) Mefenorex.....1580  
2 (7) Pemoline (including organometallic complexes and chelates  
3 thereof).....1530  
4 (8) Phentermine.....1640  
5 The provisions of this subsection (e)(8) shall expire on the date  
6 phentermine and its salts and isomers are removed from schedule IV  
7 of the federal controlled substances act (21 U.S.C. § 812; 21 code of  
8 federal regulations 1308.14).  
9 (9) Pipradrol.....1750  
10 (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane).....1635  
11 (11) Sibutramine.....1675  
12 (12) Mondafinil.....1680  
13 (f) Unless specifically excepted or unless listed in another  
14 schedule, any material, compound, mixture or preparation ~~which~~ *that*  
15 contains any quantity of the following, including salts thereof:  
16 (1) Pentazocine.....9709  
17 (2) Butorphanol (including its optical isomers).....9720  
18 (3) *Cannabidiol, when comprising the sole active ingredient of a drug*  
19 *product approved by the United States food and drug administration:*  
20 *Some other names for cannabidiol: 2-[(1R,6R)-3-Methyl-6-(1-*  
21 *methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol*  
22 (3)(4) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-  
23 *dimethylphenyl]-1-oxopropyl]](1S)-1-(4-phenyl-1H-imidazol-2-*  
24 *yl)ethylamino)methyl]-2-methoxybenzoic acid)(including its*  
25 *optical isomers) and its salts, isomers, and salts of isomers.....9725*  
26 (g) Unless specifically excepted or unless listed in another  
27 schedule, any material, compound, mixture or preparation containing  
28 any of the following narcotic drugs, or their salts calculated as the free  
29 anhydrous base or alkaloid, in limited quantities as set forth below:  
30 (1) Not more than 1 milligram of difenoxin and not less than 25  
31 micrograms of atropine sulfate per dosage unit.....9167  
32 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-  
33 3-methyl-2-propion-oxybutane).....9278  
34 (h) Butyl nitrite and its salts, isomers, esters, ethers or their salts.  
35 (i) The board may except by rule and regulation any compound,  
36 mixture or preparation containing any depressant substance listed in  
37 subsection (b) from the application of all or any part of this act if the  
38 compound, mixture or preparation contains one or more active  
39 medicinal ingredients not having a depressant effect on the central  
40 nervous system, and if the admixtures are included therein in  
41 combinations, quantity, proportion or concentration that vitiate the  
42 potential for abuse of the substances ~~which~~ *that* have a depressant  
43 effect on the central nervous system.}

1       Sec. ~~6.~~ {7.} K.S.A. 2016 Supp. 65-4113 is hereby amended to read as  
2 follows: 65-4113. (a) The controlled substances or drugs, by whatever  
3 official name, common or usual name, chemical name or brand name  
4 designated, listed in this section are included in schedule V.

5       (b) Any compound, mixture or preparation containing limited  
6 quantities of any of the following narcotic drugs which also contains one  
7 or more nonnarcotic active medicinal ingredients in sufficient proportion  
8 to confer upon the compound, mixture or preparation valuable medicinal  
9 qualities other than those possessed by the narcotic drug alone:

10       (1) Not more than 200 milligrams of codeine or any of its salts per  
11 100 milliliters or per 100 grams.

12       (2) Not more than 100 milligrams of dihydrocodeine or any of its  
13 salts per 100 milliliters or per 100 grams.

14       (3) Not more than 100 milligrams of ethylmorphine or any of its salts  
15 per 100 milliliters or per 100 grams.

16       (4) Not more than 2.5 milligrams of diphenoxylate and not less than  
17 25 micrograms of atropine sulfate per dosage unit.

18       (5) Not more than 100 milligrams of opium per 100 milliliters or per  
19 100 grams.

20       (6) Not more than .5 milligram of difenoxin (9168) and not less than  
21 25 micrograms of atropine sulfate per dosage unit.

22       (c) 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) Propylhexedrine (except when part of a compound used for  
30 nasal decongestion which is authorized to be sold lawfully over  
31 the counter without a prescription under the federal food, drug  
32 and cosmetic act, so long as it is used only for such  
33 purpose).....8161

34       (2) Pyrovalerone.....1485

35       (d) Any compound, mixture or preparation containing any detectable  
36 quantity of ephedrine, its salts or optical isomers, or salts of optical  
37 isomers.

38       (e) Any compound, mixture or preparation containing any detectable  
39 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical  
40 isomers.

41       (f) Unless specifically exempted or excluded or unless listed in  
42 another schedule, any material, compound, mixture, or preparation which  
43 contains any quantity of the following substances having a depressant

- 1 effect on the central nervous system, including its salts:
- 2 (1) *Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]*  
3 *butanamide)* (some trade or other names *BRV; UCB-34714;*  
4 *Briviact*).....2710
- 5 (2) Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-  
6 carbamic acid ethyl ester.....2779
- 7 (2)(3) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-  
8 propionamide].....2746
- 9 (3)(4) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]...2782
- 10 Sec. ~~7~~ {8.} K.S.A. 2016 Supp. 21-5701, 65-4101, 65-4102, 65-4105,  
11 65-4107, **65-4111**} and 65-4113 are hereby repealed.
- 12 Sec. ~~8~~ {9.} This act shall take effect and be in force from and after its  
13 publication in the Kansas register.