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

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

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

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

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

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

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

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

(A) A controlled substance;

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

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

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

(e) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

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

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

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

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

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

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

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

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;
(5) scales and balances used or intended for use in weighing or measuring controlled substances;
(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose, which are used or intended for use in cutting controlled substances;
(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;
(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;
(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;
(10) containers and other objects used or intended for use in storing or concealing controlled substances;
(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;
(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:
   (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
   (B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;
   (C) carburetion pipes, glass or other heat resistant tubes or any other device used to, or designed to be used to cause vaporization of a controlled substance for inhalation;
   (D) smoking and carburetion masks;
   (E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
   (F) miniature cocaine spoons and cocaine vials;
   (G) chamber smoking pipes;
   (H) carburetor smoking pipes;
   (I) electric smoking pipes;
   (J) air-driven smoking pipes;
   (K) chillums;
   (L) bongs;
   (M) ice pipes or chillers;
   (N) any smoking pipe manufactured to disguise its intended purpose;
   (O) wired cigarette papers or
   (P) cocaine freebase kits.
"Drug paraphernalia" shall not include any products, chemicals or materials described in subsection (a) of K.S.A. 2016 Supp. 21-5709(a), and amendments thereto.

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

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

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

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

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

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

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

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

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

(l) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or
independently by means of chemical synthesis or by a combination of
extraction and chemical synthesis:
(1) Opium and opiate and any salt, compound, derivative or
preparation of opium or opiate;
(2) any salt, compound, isomer, derivative or preparation thereof
which is chemically equivalent or identical with any of the substances
referred to in paragraph (1) but not including the isoquinoline alkaloids of
opium;
(3) opium poppy and poppy straw;
(4) coca leaves and any salt, compound, derivative or preparation of
coca leaves and any salt, compound, isomer, derivative or preparation
thereof which is chemically equivalent or identical with any of these
substances, but not including decocainized coca leaves or extractions of
coca leaves which do not contain cocaine or ecgonine.
(m) "Opiate" means any substance having an addiction-forming or
addiction-sustaining liability similar to morphine or being capable of
conversion into a drug having addiction-forming or addiction-sustaining
liability. "Opiate" does not include, unless specifically designated as
controlled under K.S.A. 65-4102, and amendments thereto, the
dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts
(dextromethorphan). "Opiate" does include its racemic and levorotatory
forms.
(n) "Opium poppy" means the plant of the species Papaver
somniferum l. except its seeds.
(o) "Person" means individual, corporation, government or
governmental subdivision or agency, business trust, estate, trust,
partnership, association or any other legal entity.
(p) "Poppy straw" means all parts, except the seeds, of the opium
poppy, after mowing.
(q) "Possession" means having joint or exclusive control over an item
with knowledge of and intent to have such control or knowingly keeping
some item in a place where the person has some measure of access and
right of control.
(r) "School property" means property upon which is located a
structure used by a unified school district or an accredited nonpublic
school for student instruction or attendance or extracurricular activities of
pupils enrolled in kindergarten or any of the grades one through 12. This
definition shall not be construed as requiring that school be in session or
that classes are actually being held at the time of the offense or that
children must be present within the structure or on the property during the
time of any alleged criminal act. If the structure or property meets the
above definition, the actual use of that structure or property at the time
alleged shall not be a defense to the crime charged or the sentence
imposed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

or

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

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

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

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

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

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

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

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

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

(p) "Drug" means: (1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or animals; (3) substances (other than food) intended to affect the structure or any function of the body of human or animals; and (4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3).
It does not include devices or their components, parts or accessories.

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

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

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

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

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

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

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

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

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

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of
extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

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

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

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

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

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

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

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

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances
referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;
(3) opium poppy and poppy straw;
(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ekgonine.

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.
(ff) "Opium poppy" means the plant of the species Papaver somniferum l. except its seeds.

(gg) "Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.
(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

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

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

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

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

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

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

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping
systems can be separated out from all other records within a reasonable
time not to exceed 48 hours of a request from the board or other authorized
agent or that hard-copy records are kept on which certain items are
asterisked, redlined or in some other manner visually identifiable apart
from other items appearing on the records.
(pp) "Ultimate user" means a person who lawfully possesses a
controlled substance for such person's own use or for the use of a member
of such person's household or for administering to an animal owned by
such person or by a member of such person's household.
Sec. 3. K.S.A. 2016 Supp. 65-4102 is hereby amended to read as
follows: 65-4102. (a) The board shall administer this act and may adopt
rules and regulations relating to the registration and control of the
manufacture, distribution and dispensing of controlled substances within
this state. All rules and regulations of the board shall be adopted in
conformance with article 4 of chapter 77 of the Kansas Statutes Annotated,
and amendments thereto, and the procedures prescribed by this act.
(b) Annually, the board shall submit to the speaker of the house of
representatives and the president of the senate a report on substances
proposed by the board for scheduling, rescheduling or deletion by the
legislature with respect to any one of the schedules as set forth in this act;
and reasons for the proposal shall be submitted by the board therewith
and a report of the substances scheduled during the preceding calendar year
under subsection (e), if any, along with the reasons for the proposal and
the scheduling. In making a determination regarding the proposal to
schedule, reschedule or delete a substance, the board shall consider the
following:
(1) The actual or relative potential for abuse;
(2) the scientific evidence of its pharmacological effect, if known;
(3) the state of current scientific knowledge regarding the substance;
(4) the history and current pattern of abuse;
(5) the scope, duration and significance of abuse;
(6) the risk to the public health;
(7) the potential of the substance to produce psychological or
physiological dependence liability; and
(8) whether the substance is an immediate precursor of a substance
already controlled under this article.
(c) The board shall not include any nonnarcotic substance within a
schedule if such substance may be lawfully sold over the counter without a
prescription under the federal food, drug and cosmetic act.
(d) Authority to control under this section does not extend to distilled
spirits, wine, malt beverages or tobacco.
(e) (1) Upon receipt of notice under K.S.A. 2016 Supp. 21-5715, and
amendments thereto, or upon the board's finding of an imminent hazard to
the public safety, the board shall initiate scheduling of the controlled
substance analog or a new drug, as defined in this subsection, on an
emergency basis pursuant to this subsection. The scheduling of a substance
under this subsection expires one year on July 1 of the following calendar
year after the adoption of the scheduling rule and regulation.

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

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

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

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

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

(1) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
phenylacetamide)........................................................................9821

(2) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
piperidinyl]-N-phenylacetamide)..................................................9815

(3) Acetylmethadol.................................................................9601
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<td>Alphacetylmethadol</td>
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<td>(except levo-alphacetylmethadol also known as levo-alpha-cetylmethadole, levomethadyl acetate or LAAM)</td>
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<td>(6)(7)</td>
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<td>Benzethidine</td>
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<td>Betacetylmethadol</td>
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<td>Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide)</td>
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<td>(16)(17)</td>
<td>Betameprodine</td>
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<td>(22)(23)</td>
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<td>Diethylthiambutene</td>
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<td>(24)(25)</td>
<td>Difenoxin</td>
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<td>(25)(26)</td>
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<td>Dippipanone</td>
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<td>(32)(33)</td>
<td>Etoxeridine</td>
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<td>(33)</td>
<td>Furanyl fentanyl N-(1-phenethylpiperidin-4-yl)-N-phenylfurinan-2-carboxamide</td>
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<td>31</td>
<td>(34)</td>
<td>Furethidine</td>
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H Sub for SB 51—Am. by HCW

1 (34)(35) Hydroxypethidine.................................................................................9627
2 (32)(36) Ketobemidone.........................................................................................9628
3 (33)(37) Levomoramide........................................................................................9629
4 (34)(38) Levophenacylmorphan............................................................................9631
5 (35)(39) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-
N-phenylpropanamide)..........................................................................................9813
6 (36)(40) 3-Methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-
pipericidinyl]-N-phenylpropanamide).................................................................9833
7 (37)(41) Morpheridine............................................................................................9632
8 (42) O-desmethyltramadol Some trade or other names: 2-
(dimethylamino)methyl-1-(3- hydroxyphenyl)cyclohexanol;
3-(2-((dimethylamino)methyl)-1-hydroxycyclohexylphenol
9 (38)(43) MPPP (1-methyl-4-phenyl-4-propionoxy piperidine)...............................9661
10 (39)(44) Noracymethadol.........................................................................................9633
11 (40)(45) Norlevorphanol..........................................................................................9634
12 (41)(46) Normethadone..........................................................................................9635
13 (42)(47) Norpipanone..............................................................................................9636
14 (43)(48) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-
(2-phenethyl)-4-piperidinyl]propanamide).........................................................9812
15 (44)(49) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxy piperidine)...9663
16 (45)(50) Phenadoxone.............................................................................................9637
17 (46)(51) Phenampromide........................................................................................9638
18 (47)(52) Phenomorphan..........................................................................................9647
19 (48)(53) Phenoperidine............................................................................................9641
20 (49)(54) Piritramide...............................................................................................9642
21 (50)(55) Proheptazine............................................................................................9643
22 (51)(56) Properidine................................................................................................9644
23 (52)(57) Propiram....................................................................................................9649
24 (53)(58) Racemoramide.........................................................................................9645
25 (54)(59) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
pipericidinyl]-propanamide)..............................................................................9835
26 (55)(60) Tilidine ......................................................................................................9750
27 (56)(61) Trimeperidine............................................................................................9646
28 (62) U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-
N-methylbenzamide)
29 (c) Any of the following opium derivatives, their salts, isomers and
salts of isomers, unless specifically excepted, whenever the existence of
these salts, isomers and salts of isomers is possible within the specific
chemical designation:
30 (1) Acetorphine.....................................................................................................9319
31 (2) Acetyldihydrocodeine.......................................................................................9051
32 (3) Benzylmorphine..............................................................................................9052
33 (4) Codeine methylbromide..................................................................................9070
(5) Codeine-N-Oxide.................................................................9053
(6) Cyprenorphine...............................................................9054
(7) Desomorphine.................................................................9055
(8) Dihydromorphine.............................................................9145
(9) Drotebanol........................................................................9335
(10) Etorphine (except hydrochloride salt)..............................9056
(11) Heroin .................................9200
(12) Hydromorphinol...............................................................9301
(13) Methyldesorphine............................................................9302
(14) Methylidihyromorphine..................................................9304
(15) Morphine methylbromide................................................9305
(16) Morphine methylsulfonate.................................................9306
(17) Morphine-N-Oxide..........................................................9307
(18) Myrophine....................................................................9308
(19) Nicocodeine...................................................................9309
(20) Nicomorphine.................................................................9312
(21) Normorphine..................................................................9313
(22) Pholcodine....................................................................9314
(23) Thebacon......................................................................9315

(d) Any material, compound, mixture or preparation which contains
any quantity of the following hallucinogenic substances, their salts,
isomers and salts of isomers, unless specifically excepted, whenever the
existence of these salts, isomers and salts of isomers is possible within the
specific chemical designation:

(1) Alpha-ethyltryptamine 7249 Some trade or other names:
etryptamine; Monase; α-ethyl-1H-indole-3-ethanamine; 3-
(2-aminobutyl) indole; α-ET; and AET.
(2) 4-bromo-2,5-dimethoxy-amphetamine..............................7391
(3) Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-
methylphenethylamine; 4-bromo-2,5-DMA.
(4) 2,5-dimethoxyamphetamine..............................................7396
(5) Some trade or other names: 2,5-dimethoxy-alpha-methyl-
phenethylamine; 2,5-DMA.
(6) 4-methoxyamphetamine....................................................7411
(7) Some trade or other names: 4-methoxy-alpha-methylphe-
nylthyllamine; paramethoxyamphetamine; PMA.
(8) 5-methoxy-3,4-methylenedioxy-amphetamine....................7401
(9) 4-methyl-2,5-dimethoxy-amphetamine................................7395
(10) Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-
methylphenethylamine; "DOM"; and "STP".
(11) 3,4-methylenedioxy amphetamine....................................7400
(12) 3,4-methylenedioxymethamphetamine (MDMA).............7405
(13) 3,4-methylenedioxy-N-ethylamphetamine (also known as
N-ethyl-alpha-methyl-3,4-(methyleneedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA) ................................................................. 7404
N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methyleneedioxy) phenethylamine, and N-hydroxy MDA) ........................................ 7402
3,4,5-trimethoxy amphetamine .......................................................... 7390 Bufotenine .................................................................................. 7433
Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.
Diethyltryptamine ........................................................................ 7434 Some trade or other names: N,N-Diethyltryptamine; DET.
Dimethyltryptamine ..................................................................... 7435 Some trade or other names: DMT.
Ibogaine ...................................................................................... 7260 Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2] azepino [5,4-b]indole; Tabernanthe iboga
Lysergic acid diethylamide .............................................................. 7315
Marijuana ...................................................................................... 7360 Mescaline .................................................................................... 7381
Parahexyl ...................................................................................... 7374 Some trade or other names: 3-Hexyl-l-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.
Peyote ......................................................................................... 7415 Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
N-ethyl-3-piperidyl benzilate .......................................................... 7482
N-methyl-3-piperidyl benzilate ........................................................ 7484
Psilocybin ..................................................................................... 7437
Psilocyn ......................................................................................... 7438
Some trade or other names: Psilocin.
Ethylamine analog of phencyclidine .............................................. 7455
Some trade or other names: N-ethyl-1-phenyl-cyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.
Pyrrolidine analog of phencyclidine ................................................ 7458
Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP.
1. Thiophene analog of phencyclidine.
2. Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.
3. 1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.
4. Some other names: TCPy.
5. 2,5-dimethoxy-4-ethylamphetamine.
6. Some trade or other names: DOET.
7. Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
8. Datura stramonium, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as datura stramonium, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
10. Some trade or other names: BZP.
11. 1-(3-[trifluoromethylphenyl])piperazine.
12. Some trade or other names: TFMPP.
13. 4-Bromo-2,5-dimethoxyphenethylamine.
14. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.
15. Alpha-methyltryptamine (other name: AMT).
16. 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers.
17. 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
18. 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
19. 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).
20. 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).
21. 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine.
22. 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).
23. 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).
24. 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).
1  ethanamine..........................................................................................7538
2  Some trade or other names: 25I–NBOMe; 2C–I–NBOMe; 25I;
3  Cimbi–5.
4  (48)(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  (49)(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  (50)(51) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
13  Some trade or other names: 25H-NBOMe.
14  (51)(52) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-
15  methoxybenzyl)ethanamine
16  Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.
17  (52)(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) Etizolam 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  (2)(3) Methaqualone..............................................................................2565
30  (2)(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) Aminorex 1585 some other names: Aminoxaphen 2-amino-5-
36  phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine
37  (2) Fenethylline....................................................................................1503
38  (2)(3) N-ethylamphetamine....................................................................1475
39  (2)(4) (+)-cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-
40  phenyl-2-oxazolamine).......................................................................1590
41  (4)(5) N,N-dimethylamphetamine (also known as N,N-alpha-
42  trimethyl-benzeneethanamine; N,N-alpha-
43  trimethylphenethylamine)....................................................................1480
Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone).................................1235

Substituted cathinones
Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2–aminopropan–1–one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(B) by substitution at the 3-position with an acyclic alkyl substituent;

(C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(g) Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers .................................................................9818

(2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers .................................................................9834

(3) Aminorex (some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine, its salts, optical isomers and salts of optical isomers)............1585

(4) Alpha-ethyltryptamine, its optical isomers, salts and salts of isomers—7249

Some other names: etryptamine, alpha methyl 1H indole-3-ethanamine, 3-(2-aminobutyl) indole.

(h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Tetrahydrocannabinols.................................................................7370

Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the
resinous extractives of Cannabis, sp. and/or synthetic
substances, derivatives, and their isomers with similar chemical
structure and pharmacological activity such as the following:
Delta 1 cis or trans tetrahydrocannabinol, and their optical
isomers Delta 6 cis or trans tetrahydrocannabinol, and their
optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and
its optical isomers (Since nomenclature of these substances is
not internationally standardized, compounds of these structures,
regardless of numerical designation of atomic positions
covered.)

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

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

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

(5) Naphthylmethylindenes
Any compound containing a naphthylideneindene structure with
substitution at the 3-position of the indene ring by an alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-
(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl
group whether or not further substituted in the indene ring to
any extent, whether or not substituted in the benzyl or naphthyl
ring to any extent.
Phenylacetylindoles
Any compound containing a 3-phenylacetylindole structure
with substitution at the nitrogen atom of the indole ring by an
alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
morpholinyl)ethyl group whether or not further substituted in
the indole ring to any extent, whether or not substituted in the
benzyl or phenyl ring to any extent.

Cyclohexylphenols
Any compound containing a 2-(3-hydroxycyclohexyl)phenol
structure with substitution at the 5-position of the phenolic ring
by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
morpholinyl)ethyl group whether or not substituted in the
cyclohexyl ring to any extent.

Benzoylindoles
Any compound containing a 3-(benzoyl)indole structure with
substitution at the nitrogen atom of the indole ring by an alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, benzyl, 1-
(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl
group whether or not further substituted in the indole ring to
any extent and whether or not substituted in the benzyl or
phenyl ring to any extent.

2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-
de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone. Some trade
or other names: WIN 55,212-2.

9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-
6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
Some trade or other names: HU-210, HU-211.

Tetramethylcyclopropanoylindoles
Any compound containing a 3-tetramethylcyclopropanoylindole
structure with substitution at the nitrogen atom of the indole
ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-
piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
tetrahydropyranymethyl group, whether or not further
substituted in the indole ring to any extent and whether or not
substituted in the benzyl or tetramethylcyclopropyl rings to any
extent.

Indole-3-carboxylate esters
Any compound containing a 1H-indole-3-carboxylate ester
structure with the ester oxygen bearing a naphthyl, quinolinyl,
isoquinolinyl or adamantyl group and substitution at the 1
position of the indole ring by an alkyl, haloalkyl, alkenyl,
cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-
piperidinylmethyl or 2-(4-morpholinyl)ethyl group, whether or
not further substituted on the indole ring to any extent and
whether or not substituted on the naphthyl, quinolinyl,
isooquinolinyl, adamantyl or benzyl groups to any extent.

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

(14) (1H-indazol-3-yl)methanones
Any compound containing a (1H-indazol-3-yl)methanone
structure with the carbonyl carbon bearing a naphthyl group and
substitution at the 1 position of the indazole ring by an alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl
group, whether or not further substituted on the indazole ring to
any extent and whether or not substituted on the naphthyl or
benzyl groups to any extent.

Sec. 5. K.S.A. 2016 Supp. 65-4107 is hereby amended to read as
follows: 65-4107. (a) The controlled substances listed in this section are
included in schedule II and the number set forth opposite each drug or
substance is the DEA controlled substances code which has been assigned
to it.

(b) Any of the following substances, except those narcotic drugs
listed in other schedules, whether produced directly or indirectly by
extraction from substances of vegetable origin or independently by means
of chemical synthesis or by combination of extraction and chemical
synthesis:

(1) Opium and opiate and any salt, compound, derivative or
preparation of opium or opiate, excluding apomorphine, dextrophan,
nalbuphine, nalmefene, naloxone and naltrexone and their respective salts,
but including the following:

(A) Raw opium........................................................................................................9600
(B) Opium extracts.................................................................9610
(C) Opium fluid.................................................................9620
(D) Powdered opium..........................................................9639
(E) Granulated opium..........................................................9640
(F) Tincture of opium...........................................................9630
(G) Codeine........................................................................9050
(H) Ethylmorphine...............................................................9190
(I) Etorphine hydrochloride..................................................9059
(J) Hydrocodone..................................................................9193
(K) Hydromorphone.............................................................9150
(L) Metopon........................................................................9260
(M) Morphine......................................................................9300
(N) Oxycodone....................................................................9143
(O) Oxymorphone................................................................9652
(P) Thebaine.......................................................................9333
(Q) Dihydroetorphine............................................................9334
(R) Oripavine......................................................................9330

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

(3) Opium poppy and poppy straw.

(4) Coca leaves (9040) and any salt, compound, derivative or
preparation of coca leaves, but not including decocainized coca leaves or
extractions which do not contain cocaine (9041) or ecgonine (9180).

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

1. Amobarbital ................................................................. 2125
2. Glutethimide .............................................................. 2550
3. Secobarbital ............................................................... 2315
4. Pentobarbital .............................................................. 2270
5. Phencyclidine ............................................................ 7471

(f) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

1. Immediate precursor to amphetamine and methamphetamine:
   (A) Phenylacetone .......................................................... 8501
   Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.

2. Immediate precursors to phencyclidine (PCP):
   (A) 1-phenylecyclohexylamine ........................................... 7460
   (B) 1-piperidinocyclohexanecarbonitrile (PCC) ..................... 8603

(g) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substance, its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

Nabilone ................................................................. 7379

[Another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-
6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
dibenzo[b,d]pyran-9-one]

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

1. Not more than 300 milligrams of dihydrocodeineone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with a fourfold or greater quantity of an isoquinoline alkaloid of opium ........................................ 9805

2. Not more than 300 milligrams of dihydrocodeineone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts ........................................ 9806
isomers and salts of isomers is possible within the specific chemical
designation and having a potential for abuse associated with a
depressant effect on the central nervous system:

(1) Alprazolam ................................................................. 2882
(2) Barbital ................................................................. 2145
(3) Bromazepam .......................................................... 2748
(4) Camazepam ............................................................. 2749
(5) Carisoprodol ............................................................ 8192
(6) Chloral betaine ......................................................... 2460
(7) Chloral hydrate .......................................................... 2465
(8) Chlordiazepoxide ....................................................... 2744
(9) Clobazam ................................................................. 2751
(10) Clonazepam ............................................................ 2737
(11) Clorazepate ............................................................ 2768
(12) Clotiazepam ............................................................ 2752
(13) Cloxazolam ............................................................ 2753
(14) Delorazepam ........................................................... 2754
(15) Diazepam ............................................................... 2765
(16) Dichloralphenazone .................................................... 2467
(17) Estazolam ............................................................... 2756
(18) Ethchlorvynol .......................................................... 2540
(19) Ethinamate .............................................................. 2545
(20) Ethyl loflazepate ......................................................... 2758
(21) Fludiazepam ............................................................ 2759
(22) Flunitrazepam .......................................................... 2763
(23) Flurazepam ............................................................... 2767
(24) Fospropofol ............................................................. 2138
(25) Halazepam ............................................................... 2762
(26) Haloxazolam ............................................................ 2771
(27) Ketazolam ............................................................... 2772
(28) Loprazolam ............................................................... 2773
(29) Lorazepam .............................................................. 2885
(30) Lormetazepam .......................................................... 2774
(31) Mebutamate ............................................................. 2800
(32) Medazepam ............................................................. 2836
(33) Meprobamate ............................................................ 2820
(34) Methohexital ............................................................ 2264
(35) Methylphenobarbital (mepobarbital) ................................ 2250
(36) Midazolam .............................................................. 2884
(37) Nimetazepam ........................................................... 2837
(38) Nitrazepam .............................................................. 2834
(39) Nordiazepam ........................................................... 2838
(40) Oxazepam .............................................................. 2835
(54) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol)................................................................. 9752
(55) Alfaxalone....................................................................................... 2731
(56) Suvorexant.................................................................................... 2223

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

(d) Any material, compound, mixture or preparation which that contains any quantity of lorcaserin (1625), including its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

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

(1) Cathine ((+)-norpseudoephedrine)...................................................... 1230
(2) Diethylpropion.................................................................................. 1610
(3) Fenproporex...................................................................................... 1575
(4) Mazindol.......................................................................................... 1605
The provisions of this subsection (e)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

The board may except by rule and regulation any compound, mixture or preparation containing any quantity of the following, including salts thereof:

(1) Pentazocine

(2) Butorphanol (including its optical isomers)

(3) Cannabidiol, when comprising the sole active ingredient of a drug product approved by the United States food and drug administration: Some other names for cannabidiol: 2-[(1R,6R)-3-Methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol

(4) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl][[(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl][amino][methyl]-2-methoxybenzoic acid](including its optical isomers) and its salts, isomers, and salts of isomers

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

(i) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances which that have a depressant effect on the central nervous system.
K.S.A. 2016 Supp. 65-4113 is hereby amended to read as follows: 65-4113. (a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

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

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

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

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

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

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

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

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

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

(2) Pyrovalerone.................................................................1485

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

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

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

1. Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (some trade or other names BRV; UCB-34714; Briviact) ................................................................. 2710
2. Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester .................................................................................. 2779
3. Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] ............................................................................................................ 2746
4. Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] ... 2782


Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.