

SESSION OF 2021

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2262**

As Recommended by Senate Committee on
Public Health and Welfare

Brief*

Senate Sub. for HB 2262 would amend the Uniform Controlled Substances Act (Act). The bill would also make technical changes.

The bill would be in effect upon publication in the *Kansas Register*.

Schedule 1

The bill would add two opiates, one opioid derivative, and one compound containing hallucinogenic substances to the schedule. The bill would also make spelling and substance number updates, change “ring” to “group” in certain cannabinoid classes, add a “syncan” class, and make technical changes.

Schedule II

The bill would add one opioid metabolite of oxymorphone and oxycodone, one intravenous opioid medication for severe acute pain, and one opioid analgesic to the schedule.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Schedule IV

The bill would add one short-acting sedation medication, an insomnia medication, an antidepressant used to treat depression and postpartum depression, and a medication for treatment of sleepiness due to narcolepsy or sleep apnea to the schedule.

Schedule V

The bill would add a medication for treatment of adult seizures and a drug used to treat migraines without aura.

Other Updates

The bill would also remove from the Kansas Schedule IV the U.S. Food and Drug Administration (FDA)-approved drug Epidiolex to mirror the federal de-scheduling of this drug.

Background

HB 2262, as introduced, concerned permits for cremation. The Senate Committee on Public Health and Welfare recommended a substitute bill and inserted the provisions of SB 298, as amended by the Committee. [*Note:* The Senate Committee inserted the provisions of HB 2262 as introduced into HB 2254.]

SB 298

The bill was introduced by the Senate Committee on Federal and State Affairs.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, a representative of the State Board of Pharmacy (Board) provided **proponent**

testimony. The proponent stated the Board works with the Kansas Bureau of Investigation to review changes made by the U.S. Drug Enforcement Administration to the federal Controlled Substances Act and works to make necessary changes in the state Uniform Controlled Substances Act to reflect the federal updates.

A private citizen provided **opponent** testimony stating opposition to including cannabis and marijuana-related drugs as a controlled substance.

No other testimony was provided.

The Senate Committee amended SB 298 to make a technical change, removed the contents from HB 2262 as introduced, and inserted the language of SB 298, as amended, to create a substitute bill.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on SB 298 as introduced, the Board, Board of Examiners in Optometry, Department of Corrections, Department of Health and Environment, Kansas Bureau of Investigation, Kansas Dental Board, and State Board of Healing Arts indicate enactment of the bill would have no fiscal effect on the agencies. The Office of Judicial Administration indicates the bill would not have a significant fiscal effect on the courts. The Board of Nursing indicates the bill would increase expenditures for communication costs by approximately \$2,000 from the Board of Nursing Fee Fund for FY 2022. Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Uniform Controlled Substances Act; controlled substances; schedule; drugs; substances, U.S. Drug Enforcement Administration; U.S. Federal Drug Administration