Nevada State Board of Pharmacy

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August 26, 2021

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption and Amendment of
Regulations of the Nevada State Board of Pharmacy

The Nevada State Board of Pharmacy will conduct a Public Hearing on Thursday, October 14, 2021, at 9:00 a.m. at the following location:

Pursuant to Governor Steve Sisolak's Emergency Directive 044 and AB 253, the meeting can be listened to or viewed live over Zoom remotely or at the following location:

Hampton Inn Las Vegas Strip South
7850 Giles Street
Las Vegas, NV 89123

Via Videoconference at Zoom: https://zoom.us/j/5886256671
or
Via Teleconference at 1 (669) 900-6833
Meeting ID: 588 625 6671

The purpose of the hearing is to receive comments from all interested persons regarding the adoption and amendment of regulations that pertain to Chapters 453 and/or 639 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.060:

A. **Amendment of Nevada Administrative Code (NAC) 639.220 Schedule of fees; penalty for late renewal; exemptions from certain fees.** The proposed amendment to NAC 639.220 will provide medical interns and residents reduced fees to prescribe or possess controlled substances and to biennially renew such authorization. (LCB File No. R003-21)

1. The need for and the purpose of the proposed regulation or amendment.

The amendment reduces the fee for the authorization of a practitioner who is a medical intern or resident physician to prescribe or possess controlled substances and for the biennial renewal of such authorization from $200 to $80.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There should be no adverse economic impact from this regulation amendment on the regulated entities or on the public; the affected practitioner will benefit from the reduced registration fee.

(b) Both immediate and long-term effects.

Immediate or long-term economic effect on regulated entities and public will be negligible.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no additional or special costs incurred by the Board of Pharmacy for enforcement of this regulation amendment.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Board of Pharmacy is not aware of any similar regulations of any other state or local governmental agency that the proposed regulation amendment overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulation amendments of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

B. **Amendment Of Nevada Administrative Code (NAC) Chapter 453: Prescription Monitoring Program Integration.** The proposed amendments will regulate the integration of the records of patients in the database of the computerized program established pursuant to NRS 453.162 with the electronic health records of practitioners. (LCB File No. R008-21)

1. The need for and the purpose of the proposed regulation or amendment.

The proposed regulation further defines requirements governing the integration of electronic health records with the records of patients in the database of the computerized program to track prescriptions for controlled substances; providing that certain persons and agencies have Internet access to that database; requiring a person to read the user support manual for the database before he or she is granted access to the database and comply with the manual when using the database; providing that the database may only be accessed electronically; prohibiting the reproduction, copying or transfer of data from the database; prescribing the procedures for an employee of a law enforcement agency to obtain access to the database.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There should be no adverse economic impact from this regulation amendment on the regulated entities or on the public. The proposed amendment will improve the delivery of pharmaceutical care and better assure patient safety.

(b) Both immediate and long-term effects.

Immediate or long-term economic effect on regulated entities or the public will be to improve the safe and efficient delivery of pharmaceutical care.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no additional or special costs incurred by the Board of Pharmacy for enforcement of this regulation amendment.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Board of Pharmacy is not aware of any similar regulations of any other state or local governmental agency that the proposed regulation amendment overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulation amendments of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

C. **Amendment of Nevada Administrative Code (NAC) 453.540: Schedule IV.** The proposed amendment to NAC 453.540 will add lemborexant and remimazolam, to the list of controlled substances listed in Schedule IV.
(LCB File No. R024-21)

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amendment adds lemborexant and remimazolam to the list of controlled substances set forth in schedule IV of the Uniform Controlled Substances Act, consistent with federal regulations (21 C.F.R. § 1308.14). The amendment is needed to add such drug product to the list of controlled substances in schedule IV in conformity with federal regulations of the Uniform Controlled Substances Act.

2. Either the terms or the substance of the regulations to be adopted and amended.

A copy of the proposed regulation amendment is attached to this notice.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

(a) Both adverse and beneficial effects.

There should be no adverse economic impact from this regulation amendment on the regulated entities or on the public. The proposed amendment is needed to add lemborexant and remimazolam to the list of controlled substances in schedule IV in conformity with federal regulations of the Uniform Controlled Substances Act. The estimated economic effect on regulated entities is beneficial in that drugs classified as schedule IV have some potential for abuse and may lead to physical or psycho dependence.

(b) Both immediate and long-term effects.

Immediate or long-term economic effect on regulated entities and public from scheduling lemborexant and remimazolam should be reduced misuse.

4. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no additional or special costs incurred by the Board of Pharmacy for enforcement of this regulation amendment.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Board of Pharmacy is not aware of any similar regulations of any other state or local governmental agency that the proposed regulation amendment overlaps or duplicates.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The Board of Pharmacy is not aware of any similar federal regulation amendments of the same activity in which the state regulation is more stringent.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not provide a new or increase of fees.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Board at pharmacy@pharmacy.nv.gov or to the Nevada State Board of Pharmacy, 985 Damonte Ranch Parkway, Suite 206 – Reno, NV 89521. Written submissions must be received by the Board on or before October 14, 2021. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at

http://www.leg.state.nv.us. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request.

Pursuant to NRS 233B.064(1), upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at www.notice.nv.gov and www.bop.nv.gov pursuant to Governor's Declaration of Emergency Directive 006.

PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R003-21

August 17, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 453.221, 639.070 and 639.170.

A REGULATION relating to pharmacy; revising provisions relating to the fee for the authorization of practitioners who are medical interns and resident physicians to prescribe or possess controlled substances and for the biennial renewal of such authorization; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Board of Pharmacy to adopt regulations relating to the registration and control of the dispensing of controlled substances within this State. (NRS 453.221, 639.070) Existing law establishes the maximum fees that the Board may charge for authorization of a practitioner to prescribe or possess controlled substances and for the biennial renewal of such authorization. (NRS 639.170) Existing regulations prescribe the fees for the authorization of a physician, advanced practice registered nurse, physician assistant, euthanasia technician, facility for treatment with narcotics, researcher, instructional user or any other authorized person to prescribe or possess controlled substances. (NAC 639.220) This regulation reduces the fee for the authorization of a practitioner who is a medical intern or resident physician to prescribe or possess controlled substances and for the biennial renewal of such authorization from $200 to $80.

Section 1. NAC 639.220 is hereby amended to read as follows:

639.220 1. The Board hereby adopts the following schedule of fees:

For the examination of an applicant for registration as a pharmacist .....Actual cost of the examination

For the investigation or registration of an applicant as a registered pharmacist $200

For the investigation, examination or registration of an applicant as a registered pharmacist by reciprocity 200

For the investigation or issuance of an original license to conduct a retail pharmacy 500

For the biennial renewal of a license to conduct a retail pharmacy 500

For the investigation or issuance of an original license to conduct an institutional pharmacy 500

For the biennial renewal of a license to conduct an institutional pharmacy 500

For the investigation or issuance of an original license to conduct a pharmacy in a correctional institution 500

For the biennial renewal of a license to conduct a pharmacy in a correctional institution 500

For the investigation or issuance of an original license to conduct a pharmacy in a recovery center or ambulatory surgical center licensed by the State Board of Health pursuant to NRS 449.0303 500

For the biennial renewal of a license to conduct a pharmacy in a recovery center or ambulatory surgical center licensed by the State Board of Health pursuant to NRS 449.0303 500

For the issuance of an original or duplicate certificate of registration as a registered pharmacist 50

For the biennial renewal of registration as a registered pharmacist 200

For the reinstatement of a lapsed registration (in addition to the fees for renewal for the period of lapse).....100

For the initial registration of a pharmaceutical technician or pharmaceutical technician in training.....50

For the biennial renewal of registration of a pharmaceutical technician or pharmaceutical technician in training.....50

For the investigation or registration of an intern pharmacist.....40

For the biennial renewal of registration as an intern pharmacist.....40

For the investigation or registration of an advanced practice registered nurse or a physician assistant to prescribe drugs that are not controlled substances.....80

For the biennial renewal of registration of an advanced practice registered nurse or a physician assistant to prescribe drugs that are not controlled substances.....80

For authorization of a physician, advanced practice registered nurse, physician assistant, euthanasia technician, facility for treatment with narcotics, researcher, instructional user or any other authorized person ***, except a practitioner who is a medical intern or resident physician,*** to prescribe or possess controlled substances.....200

For the biennial renewal of authorization of a physician, advanced practice registered nurse, physician assistant, euthanasia technician, facility for treatment with narcotics, researcher, instructional user or any other authorized person , ***except a practitioner who is a medical intern or resident physician,*** to prescribe or possess controlled substances 200

For authorization of a practitioner who is a medical intern or resident physician to prescribe or possess controlled substances 80

For the biennial renewal of authorization of a practitioner who is a medical intern or resident physician to prescribe or possess controlled substances 80

For the investigation or issuance of an original license to engage in business as an authorized warehouse, medical products provider or medical products wholesaler 500

For the biennial renewal of a license to engage in business as an authorized warehouse, medical products provider or medical products wholesaler 500

For the investigation or issuance of an original license to a manufacturer or wholesaler 500

For the biennial renewal of a license for a manufacturer or wholesaler 500

For the reissuance of a license issued to a pharmacy, when no change of ownership is involved, but the license must be reissued because of a change in the information required thereon 50

For authorization of a practitioner, other than a licensed veterinarian, to dispense controlled substances or dangerous drugs, or both, for human consumption for each location where the practitioner will dispense controlled substances or dangerous drugs, or both, for human consumption 300

For the biennial renewal of authorization of a practitioner, other than a licensed veterinarian, to dispense controlled substances or dangerous drugs, or both, for human consumption for each location where the practitioner will dispense controlled substances or dangerous drugs, or both, for human consumption..... 300

For authorization of a licensed veterinarian to dispense controlled substances or dangerous drugs, or both, not for human consumption 150

For the biennial renewal of authorization of a licensed veterinarian to dispense controlled substances or dangerous drugs, or both, not for human consumption 150

2. The penalty for failure to pay the renewal fee for any license, permit or certificate within the statutory period, as provided in subsection 6 of NRS 639.170, is 50 percent of the renewal fee for each period of delinquency in addition to the renewal fee for each period of delinquency.

3. Any person who has been registered as a pharmacist in this State for at least 50 years is not required to pay the fee for the biennial renewal of a certificate of registration as a registered pharmacist.

4. The provisions of this section concerning the fee for the biennial renewal of the authorization to dispense controlled substances or dangerous drugs do not apply to an advanced practice registered nurse who is required to pay a fee pursuant to NAC 639.870.

5. A health center:

(a) Which is a federally-qualified health center that provides health care primarily to medically underserved persons in a community; and

(b) Which is not a medical facility as defined in NRS 449.0151,

➥ is not required to pay the fee for the collective certification of advanced practice registered nurses in the employ of a public or nonprofit agency as set forth in subsection 1.

6. A practitioner employed by or serving as an independent contractor of a health center:

(a) Which is a federally-qualified health center that provides health care primarily to medically underserved persons in a community; and

(b) Which is not a medical facility as defined in NRS 449.0151,

➥ is not required to pay a fee to the Board for a change of address or for an additional address at which the practitioner dispenses drugs.

7. A practitioner who is exempt from the payment of a fee pursuant to subsection 6 shall notify the Board in writing of each change of address or additional address, or both.

8. In addition to any other fees paid by an applicant for a certificate, license or permit issued pursuant to chapter 639 of NRS, the Board may require that the applicant pay actual costs of inspection incurred by the Board.

REVISED PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R008-21

August 17, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted

AUTHORITY: §§ 1-5, NRS 453.162, 639.070, as amended by section 3 of Senate Bill No. 408, chapter 218, Statutes of Nevada 2021, at page 1016, and NRS 639.23916; § 6, NRS 453.162, 453.165 and 639.070, as amended by section 3 of Senate Bill No. 408, chapter 218, Statutes of Nevada 2021, at page 1016, and NRS 639.23916.

A REGULATION relating to pharmacy; prescribing requirements governing the integration of electronic health records with the records of patients in the database of the computerized program to track prescriptions for controlled substances; providing that certain persons and agencies have Internet access to that database; requiring a person to read the user support manual for the database before he or she is granted access to the database and comply with the manual when using the database; providing that the database may only be accessed electronically; prohibiting the reproduction, copying or transfer of data from the database; prescribing the procedures for an employee of a law enforcement agency to obtain access to the database; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Pharmacy and the Investigation Division of the Department of Public Safety to cooperatively develop a computerized program to track each prescription for a controlled substance listed in schedule II, III, IV or V. Existing law requires the computerized program to include, to the extent that money is available, the ability to integrate the records of patients in the database of the computerized program with the electronic health records of practitioners. If that ability is included, existing law requires any person or entity that provides a system for the maintenance of electronic health records to a practitioner to ensure that the system includes, as a function of the system, the ability to integrate the records of patients in the database of the computerized program into the electronic health records of the practitioner. (NRS 453.162) **Section 2** of this regulation: (1) requires a practitioner whose electronic health records are integrated with the records in the database of the computerized program to maintain certain records; and (2) prohibits certain persons designated to access the database of the computerized program from accessing that database through electronic health records. **Section 3** of this regulation provides that the Board will provide Internet access to the database of the computerized program to: (1) certain persons authorized to access such a

database under federal law; and (2) certain agencies of other states with which the Board and the Division have entered into an information-sharing agreement.

Existing law requires persons who are required to access the database of the computerized program to complete a course of training developed by the Board and the Division. (NRS 453.164) **Section 4** of this regulation adopts by reference a user support manual for the database, requires such a person to read and comply with that user support manual and provides that reading the manual satisfies the training requirement. **Section 5** of this regulation: (1) provides that the database may only be accessed electronically; and (2) prohibits the reproduction, copying or transfer of data from the database.

Existing law requires the Board to allow an employee of a law enforcement agency to access the database of the computerized program if the employer certifies that the employee has been approved for such access and has completed the required course of training. Such an employee of a law enforcement agency is authorized to access the database only to: (1) investigate a crime related to prescription drugs; or (2) upload certain information obtained during an investigation to the database. (NRS 453.165) **Section 6** of this regulation authorizes an employee of a law enforcement agency who meets the requirements for access to the database to: (1) enroll with the Board to have ongoing access; or (2) access the database without enrolling to obtain a patient utilization report or a summary of a practitioner's prescribing history for use in a particular investigation.

Section 1. Chapter 453 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *1. A practitioner whose electronic health records are integrated with the records of patients in the database of the computerized program established pursuant to NRS 453.162 shall:*

(a) Maintain the electronic health records in conformance with all applicable federal and state laws;

(b) Maintain a record of access to the database of the computerized program and the retrieval of patient utilization reports from that database; and

(c) Retain the records described in paragraph (b) as a health care record in accordance with NRS 629.051 to 629.069, inclusive, in a manner that is easily retrievable upon the request of the Board or a representative thereof.

2. A person designated as a delegate pursuant to NAC 453.070 or 453.074 or section 2 of LCB File No. R035-19 is not authorized to access the database of the computerized program established pursuant to NRS 453.162 using electronic health records.

3. As used in this section, "electronic health record" has the meaning ascribed to it in NRS 453.162.

Sec. 3. *The Board will provide Internet access to the database of the computerized program established pursuant to NRS 453.162 for the purpose of obtaining patient utilization reports to:*

1. Employees of the United States Department of Veterans Affairs who are authorized to access such reports under the provisions of 38 U.S.C. § 1730B;

2. Persons who are authorized to access such a report under Medicaid pursuant to 42 U.S.C. § 1396r-8(g) or 42 U.S.C. § 1396w-3a; and

3. Persons who are authorized to access reports under the provisions of a written agreement entered into pursuant to subsection 2 of NRS 453.163.

Sec. 4. *1. The PMP AWARxE Requestor User Support Manual: Nevada Prescription Monitoring Program, published by Appriss Health, is hereby adopted by reference. A copy of the publication is available, free of charge, from the Board at the Internet address https://bop.nv.gov/uploadedFiles/bopnvgov/content/Links/12.14.18.NV%20Requestor%20User%20Support%20Manual.pdf.*

2. The Board will periodically review the publication adopted by reference in subsection 1 and determine, within 120 days after the review, whether any change made to the publication is appropriate for application in this State. If the Board does not disapprove a change to the

publication within 120 days after the review, the change is deemed to be approved by the Board.

3. Each person required or authorized to receive Internet access to the database of the computerized program pursuant to NRS 453.164, 453.1645 or 453.165:

(a) Must read the publication adopted by reference in subsection 1 before the Board will provide the person with Internet access to the database. Compliance with this paragraph satisfies the requirement prescribed by subsection 5 of NRS 453.164 to complete a course of training developed by the Board and the Division.

(b) Shall comply with the publication adopted by reference in subsection 1 when using the database.

Sec. 5. *A person granted Internet access to the database of the computerized program established pursuant to NRS 453.162:*

1. May only access data in the database electronically; and

2. Shall not reproduce, copy or transfer the data in a hardcopy or electronic format.

Sec. 6. NAC 453.065 is hereby amended to read as follows:

453.065 1. A practitioner or other person who is required to register with the Board pursuant to subsection 1 of NRS 453.226 to dispense controlled substances must also enroll with the Board pursuant to this section for Internet access to the database of the program established pursuant to NRS 453.162.

2. *An employee of a law enforcement agency who intends to regularly access the database of the computerized program established pursuant to NRS 453.162 for the purposes described in NRS 453.165 may enroll with the Board pursuant to this section.*

3. To enroll pursuant to this section for Internet access to the database, the practitioner or other person *or employee of a law enforcement agency* must apply to the Board on an application provided by the Board. For purposes of subsection 1 of NRS 453.226, the Board will deem such enrollment as proof that the practitioner or other person is authorized to access the database. ***An application submitted by an employee of a law enforcement agency pursuant to this subsection must be accompanied by the certification required by subsection 2 of NRS 453.165.***

~~[3.]~~ ***4. An employee of a law enforcement agency who is not enrolled pursuant to this section may obtain a patient utilization report pursuant to NRS 639.23507 or a summary of a practitioner's prescribing history from the database of the computerized program for use in an investigation if he or she submits the certification required by subsection 2 of NRS 453.165.***

5. Access to the database is a revocable privilege, and no holder of such access to the database of the ***computerized*** program acquires any vested right therein or thereunder.

PROPOSED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R024-21

August 17, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted

AUTHORITY: § 1, NRS 453.146, 453.2182 and 639.070.

A REGULATION relating to controlled substances; adding certain substances to the controlled substances listed in schedule IV of the Uniform Controlled Substances Act; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Board of Pharmacy to add, delete or reschedule substances listed as controlled substances in schedules I, II, III, IV and V of the Uniform Controlled Substances Act by regulation. (NRS 453.146) Existing law also provides that if a substance is designated, rescheduled or deleted as a controlled substance pursuant to federal law, the Board is required, with certain exceptions, to similarly treat the substance under the Uniform Controlled Substances Act. (NRS 453.2182) This regulation adds lemborexant and remimazolam to the list of controlled substances set forth in schedule IV of the Uniform Controlled Substances Act, consistent with federal regulations. (21 C.F.R. § 1308.14)

Section 1. NAC 453.540 is hereby amended to read as follows:

453.540 1. Schedule IV consists of the drugs and other substances listed in this section, by whatever official, common, usual, chemical or trade name designated.

2. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, including, without limitation, their salts, calculated as the free anhydrous base of alkaloid, is hereby enumerated on schedule IV, in quantities:

(a) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit; or

(b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxy-butane).

3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including, without limitation, their salts, isomers and salts of isomers, is hereby enumerated on schedule IV, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

Alprazolam;

Barbital;

Bromazepam;

Butorphanol;

Camazepam;

Carisoprodol;

Chloral betaine;

Chloral hydrate;

Chlordiazepoxide;

Clobazam;

Clonazepam;

Clorazepate;

Clotiazepam;

Cloxazolam;

Delorazepam;

Diazepam;

Dichloralphenazone;

Eluxadoline;

Estazolam;

Ethchlorvynol;

Ethinamate;

Ethyl loflazepate;

Fludiazepam;

Flunitrazepam;

Flurazepam;

Halazepam;

Haloxazolam;

Ketazolam;

Lemborexant;

Loprazolam;

Lorazepam;

Lorcaserin;

Lormetazepam;

Mebutamate;

Medazepam;

Meprobamate;

Methohexital;

Methylphenobarbital (mephobarbital);

Midazolam;

Nimetazepam;

Nitrazepam;

Nordiazepam;

Oxazepam;

Oxazolam;

Paraldehyde;

Petrichloral;

Phenobarbital;

Pinazepam;

Prazepam;

Quazepam;

Remimazolam;

Suvorexant;

Temazepam;

Tetrazepam;

Tramadol (2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol);

Triazolam;

Zaleplon;

Zolpidem; or

Zopiclone.

4. Any material, compound, mixture or preparation which contains any quantity of fenfluramine, including, without limitation, its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible, is hereby enumerated on schedule IV. For the purposes of this subsection, "isomer" includes, without limitation, the optical, position or geometric isomer.

5. 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, without limitation, their salts, isomers and salts of isomers, is hereby enumerated on schedule IV:

Cathine ((+)-norpseudoephedrine);

Diethylpropion;

Fencamfamin;

Fenproporex;

Mazindol;

Mefenorex;

Modafinil;

Pemoline (including organometallic complexes and chelates thereof);

Phentermine;

Pipradrol;

Sibutramine; or

SPA ((-)-dimethylamino-1,2,diphenylethane).

6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pentazocine, including, without limitation, its salts, is hereby enumerated on schedule IV.