

2SSB 5052 - H AMD TO H AMD (H-2596.3/15) **391**

By Representative Shea

WITHDRAWN 04/10/2015

1 On page page 57, after line 29 of the striking amendment, insert
2 the following:

3

4 "Sec. 42. RCW 69.50.203 and 2013 c 19 s 88 are each amended to
5 read as follows:

6 (a) Except as provided in subsection (c) of this section, the
7 commission shall place a substance in Schedule I upon finding that
8 the substance:

9 (1) has high potential for abuse;

10 (2) has no currently accepted medical use in treatment in the
11 United States; and

12 (3) lacks accepted safety for use in treatment under medical
13 supervision.

14 (b) The commission may place a substance in Schedule I without
15 making the findings required by subsection (a) of this section if
16 the substance is controlled under Schedule I of the federal
17 Controlled Substances Act by a federal agency as the result of an
18 international treaty, convention, or protocol.

19 (c) No marijuana product that the department has identified in
20 rules adopted pursuant to section 10(4) of this act as appropriate
21 for sale to qualifying patients and designated providers in a retail
22 outlet that holds a medical marijuana endorsement shall be deemed to
23 have met the criteria established in subsection (a) of this section
24 and may not be placed in Schedule I.

25

26 **Sec. 43.** RCW 69.50.204 and 2010 c 177 s 2 are each amended to
27 read as follows:

1 Unless specifically excepted by state or federal law or
2 regulation or more specifically included in another schedule, the
3 following controlled substances are listed in Schedule I:

4 (a) Any of the following opiates, including their isomers,
5 esters, ethers, salts, and salts of isomers, esters, and ethers
6 whenever the existence of these isomers, esters, ethers, and salts
7 is possible within the specific chemical designation:

8 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
9 piperidinyl]-N-phenylacetamide);

10 (2) Acetylmethadol;

11 (3) Allylprodine;

12 (4) Alphacetylmethadol, except levo-alphacetylmethadol, also
13 known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

14 (5) Alphameprodine;

15 (6) Alphamethadol;

16 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-
17 4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-
18 propanilido) piperidine);

19 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
20 piperidinyl]-N-phenylpropanamide);

21 (9) Benzethidine;

22 (10) Betacetylmethadol;

23 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
24 piperidinyl]-N-phenylpropanamide);

25 (12) Beta-hydroxy-3-methylfentanyl, some trade or other names:
26 N-[1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-
27 phenylpropanamide;

28 (13) Betameprodine;

29 (14) Betamethadol;

30 (15) Betaprodine;

31 (16) Clonitazene;

32 (17) Dextromoramide;

33 (18) Diampromide;

34 (19) Diethylthiambutene;

1 (20) DifenoXin;
2 (21) Dimenoxadol;
3 (22) Dimepheptanol;
4 (23) Dimethylthiambutene;
5 (24) Dioxaphetyl butyrate;
6 (25) Dipipanone;
7 (26) Ethylmethylthiambutene;
8 (27) Etonitazene;
9 (28) EtoXeridine;
10 (29) Furethidine;
11 (30) Hydroxypethidine;
12 (31) Ketobemidone;
13 (32) Levomoramide;
14 (33) Levophenacylmorphane;
15 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
16 piperidyl]-N-phenylpropanamide);
17 (35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl)-4-
18 piperidinyl]-N-phenylpropanamide);
19 (36) Morpheridine;
20 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
21 (38) Noracymethadol;
22 (39) Norlevorphanol;
23 (40) Normethadone;
24 (41) Norpipanone;
25 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
26 4-piperidinyl] propanamide);
27 (43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
28 (44) Phenadoxone;
29 (45) Phenampromide;
30 (46) Phenomorphan;
31 (47) Phenoperidine;
32 (48) Piritramide;
33 (49) Proheptazine;
34 (50) Properidine;

- 1 (51) Propiram;
- 2 (52) Racemoramide;
- 3 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 4 piperidinyl]-propanamide);
- 5 (54) Tilidine;
- 6 (55) Trimeperidine.
- 7 (b) Opium derivatives. Unless specifically excepted or unless
- 8 listed in another schedule, any of the following opium derivatives,
- 9 including their salts, isomers, and salts of isomers whenever the
- 10 existence of those salts, isomers, and salts of isomers is possible
- 11 within the specific chemical designation:
- 12 (1) Acetorphine;
- 13 (2) Acetyldihydrocodeine;
- 14 (3) Benzylmorphine;
- 15 (4) Codeine methylbromide;
- 16 (5) Codeine-N-Oxide;
- 17 (6) Cyprenorphine;
- 18 (7) Desomorphine;
- 19 (8) Dihydromorphine;
- 20 (9) Drotebanol;
- 21 (10) Etorphine, except hydrochloride salt;
- 22 (11) Heroin;
- 23 (12) Hydromorphenol;
- 24 (13) Methyldesorphine;
- 25 (14) Methyldihydromorphine;
- 26 (15) Morphine methylbromide;
- 27 (16) Morphine methylsulfonate;
- 28 (17) Morphine-N-Oxide;
- 29 (18) Myrophine;
- 30 (19) Nicocodeine;
- 31 (20) Nicomorphine;
- 32 (21) Normorphine;
- 33 (22) Pholcodine;
- 34 (23) Thebacon.

1 (c) Hallucinogenic substances. Unless specifically excepted or
2 unless listed in another schedule, any material, compound, mixture,
3 or preparation which contains any quantity of the following
4 hallucinogenic substances, including their salts, isomers, and salts
5 of isomers whenever the existence of those salts, isomers, and salts
6 of isomers is possible within the specific chemical designation. For
7 the purposes of this subsection only, the term "isomer" includes the
8 optical, position, and geometric isomers:

9 (1) Alpha-ethyltryptamine: Some trade or other names:

10 Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine;
11 3-(2-aminobutyl) indole; a-ET; and AET;

12 (2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other
13 names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-
14 DMA;

15 (3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other
16 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-
17 desmethyl DOB; 2C-B, nexus;

18 (4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-
19 dimethoxy-a-methylphenethylamine; 2,5-DMA;

20 (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

21 (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name:
22 2C-T-7;

23 (7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-
24 a-methylphenethylamine; paramethoxyamphetamine, PMA;

25 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;

26 (9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other
27 names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and
28 "STP";

29 (10) 3,4-methylenedioxy amphetamine;

30 (11) 3,4-methylenedioxymethamphetamine (MDMA);

31 (12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-
32 ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA,
33 MDE, MDEA;

34

- 1 (13) N-hydroxy-3,4-methylenedioxyamphetamine also known as
2 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-hydroxy
3 MDA;
- 4 (14) 3,4,5-trimethoxy amphetamine;
- 5 (15) Alpha-methyltryptamine: Other name: AMT;
- 6 (16) Bufotenine: Some trade or other names: 3-(beta-
7 Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-
8 indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine;
9 mappine;
- 10 (17) Diethyltryptamine: Some trade or other names: N,N-
11 Diethyltryptamine; DET;
- 12 (18) Dimethyltryptamine: Some trade or other names: DMT;
- 13 (19) 5-methoxy-N,N-diisopropyltryptamine: Other name:
14 5-MeO-DIPT;
- 15 (20) Ibogaine: Some trade or other names: 7-Ethyl-6,6
16 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyndo (1',2'
17 1,2) azepino (5,4-b) indole; Tabernanthe iboga;
- 18 (21) Lysergic acid diethylamide;
- 19 (22) Marihuana or marijuana, except for any products identified
20 by the department in rules adopted pursuant to section 10(4) of this
21 act as appropriate for sale to qualifying patients and designated
22 providers in a retail outlet that holds a medical marijuana
23 endorsement;
- 24 (23) Mescaline;
- 25 (24) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-
26 hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-
27 dibenzo[b,d]pyran; synhexyl;
- 28 (25) Peyote, meaning all parts of the plant presently classified
29 botanically as Lophophora Williamsii Lemaire, whether growing or
30 not, the seeds thereof, any extract from any part of such plant, and
31 every compound, manufacture, salts, derivative, mixture, or
32 preparation of such plant, its seeds, or extracts; (interprets 21
33 U.S.C. Sec. 812 (c), Schedule I (c)(12));
- 34 (26) N-ethyl-3-piperidyl benzilate;

1 (27) N-methyl-3-piperidyl benzilate;
2 (28) Psilocybin;
3 (29) Psilocyn;
4 (30)(i) Tetrahydrocannabinols, meaning tetrahydrocannabinols
5 naturally contained in a plant of the genus Cannabis (cannabis
6 plant), as well as synthetic equivalents of the substances contained
7 in the plant, or in the resinous extractives of Cannabis, species,
8 and/or synthetic substances, derivatives, and their isomers with
9 similar chemical structure and pharmacological activity such as the
10 following:

11 ((+i))(A) 1 - cis - or trans tetrahydrocannabinol, and their
12 optical isomers, excluding tetrahydrocannabinol in sesame oil and
13 encapsulated in a soft gelatin capsule in a drug product approved by
14 the United States Food and Drug Administration;

15 ((+ii))(B) 6 - cis - or trans tetrahydrocannabinol, and their
16 optical isomers;

17 ((+iii))(C) 3,4 - cis - or trans tetrahydrocannabinol, and its
18 optical isomers;

19 (Since nomenclature of these substances is not internationally
20 standardized, compounds of these structures, regardless of numerical
21 designation of atomic positions covered.)

22 (ii) The term "tetrahydrocannabinols" does not include any
23 products identified by the department in rules adopted pursuant to
24 section 10(4) of this act as appropriate for sale to qualifying
25 patients and designated providers in a retail outlet that holds a
26 medical marijuana endorsement;

27 (31) Ethylamine analog of phencyclidine: Some trade or other
28 names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)
29 ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

30 (32) Pyrrolidine analog of phencyclidine: Some trade or other
31 names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;

32 (33) Thiophene analog of phencyclidine: Some trade or other
33 names: 1-(1-[2-thenyl]-cyclohexyl)-piperidine; 2-thienyl analog of
34 phencyclidine; TPCP; TCP;

1 (34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other
2 name is TCPy.

3 (d) Depressants. Unless specifically excepted or unless listed
4 in another schedule, any material, compound, mixture, or preparation
5 which contains any quantity of the following substances having a
6 depressant effect on the central nervous system, including its
7 salts, isomers, and salts of isomers whenever the existence of such
8 salts, isomers, and salts of isomers is possible within the specific
9 chemical designation.

10 (1) Gamma-hydroxybutyric acid: Some other names include GHB;
11 gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid;
12 sodium oxybate; sodium oxybutyrate;

13 (2) Mecloqualone;

14 (3) Methaqualone.

15 (e) Stimulants. Unless specifically excepted or unless listed in
16 another schedule, any material, compound, mixture, or preparation
17 which contains any quantity of the following substances having a
18 stimulant effect on the central nervous system, including its salts,
19 isomers, and salts of isomers:

20 (1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-
21 oxazoline; or 4, 5-dihydro-5-phenyl-2-oxazolamine;

22 (2) N-Benzylpiperazine: Some other names:
23 BZP, 1-benzylpiperazine;

24 (3) Cathinone, also known as 2-amino-1-phenyl-1-propanone,
25 alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

26 (4) Fenethylamine;

27 (5) Methcathinone: Some other names: 2-(methylamino)-
28 propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-
29 phenylpropan-1-one; alpha-N-methylaminopropiophenone;
30 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone;
31 AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and
32 salts of optical isomers;

33 (6) (+)-cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-
34 phenyl-2-oxazolamine);

1 (7) N-ethylamphetamine;

2 (8) N,N-dimethylamphetamine: Some trade or other names: N,N-
3 alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

4 The controlled substances in this section may be added,
5 rescheduled, or deleted as provided for in RCW 69.50.201."

6

7 Renumber the remaining sections consecutively and correct any
8 internal references accordingly.

9

EFFECT: Removes marijuana products identified by the
Department of Health in rule as appropriate for sale to qualifying
patients and designated providers in a retail outlet that holds a
medical marijuana endorsement from classification as a Schedule I
controlled substance. Prohibits the Pharmacy Quality Assurance
Commission from making a finding that any such marijuana product has
met the criteria to be considered a Schedule I controlled substance.

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