

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4713

BY DELEGATES BATES, ELLINGTON, FLANIGAN,

FLEISCHAUER AND CAMPBELL

[Introduced February 23, 2016; Referred
to the Committee on Health and Human Resources
then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article
 2 designated §16-51-1, §16-51-2, §16-51-3 and §16-51-4; and to amend and reenact
 3 §60A-2-204 of said code, all relating to authorizing the medical use of cannabis based
 4 pharmaceutical products.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 article, designated §16-51-1, §16-51-2, §16-51-3 and §16-51-4; and that §60A-2-204 of said
 3 code, be amended and reenacted, all to read as follows:

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 51. COMPASSIONATE USE OF LOW DOSE THC.

§16-51-1. Legislative findings.

1 The purpose of this article is to legalize the use of cannabis-based pharmaceutical
 2 products that in the medical judgment of an attending physician, is an appropriate medical
 3 treatment for a person diagnosed with cancer or a disease, disorder or condition in which use of
 4 the cannabis based pharmaceutical product alleviates symptoms such as seizures, severe and
 5 persistent muscle spasm, and no other satisfactory alternative treatment option exists for the
 6 patient.

§16-51-2. Definitions.

1 As used in this article, the term:

2 (a) “Dispensing organization” means an organization approved by the department to
 3 dispense low-THC cannabis pursuant to this article;

4 (b) “Low-THC cannabis” means a plant of the genus Cannabis, the dried flowers of which
 5 contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol
 6 weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any
 7 compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin

8 that is dispensed only from a dispensing organization;

9 (c) "Medical use" means administration of the ordered amount of low-THC cannabis. The
10 term does not include the possession, use, or administration by smoking. The term also does not
11 include the transfer of low-THC cannabis to a person other than the patient for whom it was
12 ordered or the patient's legal representative on behalf of the qualified patient;

13 (d) "Smoking" means burning or igniting a substance and inhaling the smoke. Smoking
14 does not include the use of a vaporizer.

§16-51-3. Physician prescription authority.

1 A physician licensed under article three or fourteen, chapter thirty of this code who has
2 examined and is treating a patient suffering from cancer or a physical medical condition that
3 chronically produces symptoms such as seizures or severe and persistent muscle spasms may
4 order for the patient's medical use low-THC cannabis to treat such disease, disorder, or condition
5 or to alleviate symptoms of such disease, disorder, or condition, if no other satisfactory alternative
6 treatment options exist for that patient and all of the following conditions apply:

7 (1) The patient is a permanent resident of this state;

8 (2) The physician determines that the risks of ordering low-THC cannabis are reasonable
9 in light of the potential benefit for that patient. If a patient is younger than eighteen years of age,
10 a second physician must concur with this determination, and such determination must be
11 documented in the patient's medical record;

12 (3) The physician maintains a patient treatment plan that includes the dose, route of
13 administration, planned duration, and monitoring of the patient's symptoms and other indicators
14 of tolerance or reaction to the low-THC cannabis;

15 (4) The physician obtains the voluntary informed consent of the patient or the patient's
16 legal guardian to treatment with low-THC cannabis after sufficiently explaining the current state
17 of knowledge in the medical community of the effectiveness of treatment of the patient's condition
18 with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side

19 effects; and

20 (5) The physician complies with any additional conditions or directives that are established
21 by his or her licensing board or the secretary of the Department of Health and Human Resources.

§16-51-4. Duties of the Secretary.

1 The secretary of the Department of Health and Human Resources shall propose rules for
2 legislative approval in accordance with the provisions of article three, chapter twenty-nine(a) of
3 this code, necessary to effectuate the provisions of this article, including but not limited to:

4 (1) Establish any limitations, conditions or requirements on the dispensing of low-THC
5 cannabis necessary to protect public health and prevent diversion of it for any unlawful purpose;
6 and

7 (2) Authorizing and regulating dispensing organizations to ensure reasonable statewide
8 accessibility and availability as necessary for patients that have been prescribed low-THC
9 cannabis pursuant to this article.

CHAPTER 60A. UNIFORM CONTROLLED SUBSTANCES ACT.

ARTICLE 2. STANDARDS AND SCHEDULES.

§60A-2-204. Schedule I.

1 (a) Schedule I shall consist of the drugs and other substances, by whatever official name,
2 common or usual name, chemical name, or brand name designated, listed in this section.

3 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the
4 following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and
5 ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the
6 specific chemical designation (for purposes of subdivision (34) of this subsection only, the term
7 isomer includes the optical and geometric isomers):

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

- 10 (2) Acetylmethadol;
- 11 (3) Allyprodine;
- 12 (4) Alphacetylmethadol (except levoalphacetylmethadol also known as levo-alpha-acetylmethadol,
13 levomethadyl acetate, or LAAM);
- 14 (5) Alphameprodine;
- 15 (6) Alphamethadol;
- 16 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl]
17 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(propanilido) piperidine);
- 18 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl- 4-piperidinyll--phenylpropanamide);
- 19 (9) Benzethidine;
- 20 (10) Betacetylmethadol;
- 21 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4- piperidinyll-N-phenylpropanamide);
- 22 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- hydroxy-2-phenethyl)-3-methyl-
23 4-piperidinyll-N-phenylpropanamide);
- 24 (13) Betameprodine;
- 25 (14) Betamethadol;
- 26 (15) Betaprodine;
- 27 (16) Clonitazene;
- 28 (17) Dextromoramide;
- 29 (18) Diampromide;
- 30 (19) Diethylthiambutene;
- 31 (20) Difenoxin;
- 32 (21) Dimenoxadol;
- 33 (22) Dimepheptanol;
- 34 (23) Dimethylthiambutene;
- 35 (24) Dioxaphetyl butyrate;

- 36 (25) Dipipanone;
- 37 (26) Ethylmethylthiambutene;
- 38 (27) Etonitazene;
- 39 (28) Etoxeridine;
- 40 (29) Furethidine;
- 41 (30) Hydroxypethidine;
- 42 (31) Ketobemidone;
- 43 (32) Levomoramide;
- 44 (33) Levophenacymorphan;
- 45 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
- 46 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-piperidyl]-phenylpropanamide);
- 47 (36) Morpheridine;
- 48 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 49 (38) Noracymethadol;
- 50 (39) Norlevorphanol;
- 51 (40) Normethadone;
- 52 (41) Norpipanone;
- 53 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidyl] propanamide);
- 54 (43) PEPAP(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 55 (44) Phenadoxone;
- 56 (45) Phenampromide;
- 57 (46) Phenomorphan;
- 58 (47) Phenoperidine;
- 59 (48) Piritramide;
- 60 (49) Proheptazine;
- 61 (50) Properidine;

62 (51) Propiram;

63 (52) Racemoramide;

64 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4- piperidiny]-propanamide);

65 (54) Tilidine;

66 (55) Trimeperidine.

67 (c) *Opium derivatives*. -- Unless specifically excepted or unless listed in another schedule,

68 any of the following opium immediate derivatives, its salts, isomers and salts of isomers whenever

69 the existence of such salts, isomers and salts of isomers is possible within the specific chemical

70 designation:

71 (1) Acetorphine;

72 (2) Acetyldihydrocodeine;

73 (3) Benzylmorphine;

74 (4) Codeine methylbromide;

75 (5) Codeine-N-Oxide;

76 (6) Cyprenorphine;

77 (7) Desomorphine;

78 (8) Dihydromorphine;

79 (9) Drotebanol;

80 (10) Etorphine (except HCl Salt);

81 (11) Heroin;

82 (12) Hydromorphenol;

83 (13) Methyldesorphine;

84 (14) Methyldihydromorphine;

85 (15) Morphine methylbromide;

86 (16) Morphine methylsulfonate;

87 (17) Morphine-N-Oxide;

- 88 (18) Myrophine;
89 (19) Nicocodeine;
90 (20) Nicomorphine;
91 (21) Normorphine;
92 (22) Pholcodine;
93 (23) Thebacon.

94 (d) *Hallucinogenic substances*. -- Unless specifically excepted or unless listed in another
95 schedule, any material, compound, mixture or preparation, which contains any quantity of the
96 following hallucinogenic substances, or which contains any of its salts, isomers and salts of
97 isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within
98 the specific chemical designation (for purposes of this subsection only, the term "isomer" includes
99 the optical, position and geometric isomers):

100 (1) Alpha-ethyltryptamine; some trade or other names: etryptamine; Monase; alpha-ethy-
101 1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; and AET;

102 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other names: 4-bromo-2,5-
103 dimethoxy-alpha-methylphenethylamine; 4-bromo- 2,5-DMA;

104 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other names: 2-(4-bromo-2,5-
105 dimethoxyphenyl)-1-aminoethane; alpha- desmethyl DOB; 2C-B, Nexus;

106 (4)(A) N-(2-Methoxybenzyl)-4-bromo-2, 5-dimethoxyphenethylamine. The substance has
107 the acronym 25B-NBOMe.

108 (B) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25C-NBOMe).

109 (C) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25I-NBOMe)

110 (5) 2,5-dimethoxyamphetamine; some trade or other names: 2,5-dimethoxy-alpha-
111 methylphenethylamine; 2,5-DMA;

112 (6) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other names: DOET;

113 (7) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);

- 114 (8) 4-methoxyamphetamine; some trade or other names: 4-methoxy-alpha-
115 methylphenethylamine; paramethoxyamphetamine; PMA;
- 116 (9) 5-methoxy-3, 4-methylenedioxy-amphetamine;
- 117 (10) 4-methyl-2,5-dimethoxy-amphetamine; some trade and other names: 4-methyl-2,5-
118 dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP";
- 119 (11) 3,4-methylenedioxy amphetamine;
- 120 (12) 3,4-methylenedioxymethamphetamine (MDMA);
- 121 (13) 3,4-methylenedioxy-N-ethylamphetamine (also known as - ethyl-alpha-methyl-3,4
122 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, MDEA);
- 123 (14) N-hydroxy-3,4-methylenedioxyamphetamine (also known as - hydroxy-alpha-methyl-
124 3,4 (methylenedioxy) phenethylamine, and - hydroxy MDA);
- 125 (15) 3,4,5-trimethoxy amphetamine;
- 126 (15) (16) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 127 (17) Alpha-methyltryptamine (other name: AMT);
- 128 (18) Bufotenine; some trade and other names: 3-(beta-Dimethylaminoethyl)-5-
129 hydroxyindole;3-(2-dimethylaminoethyl) -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-
130 dimethyltryptamine; mappine;
- 131 (19) Diethyltryptamine; some trade and other names: N, N-Diethyltryptamine; DET;
- 132 (20) Dimethyltryptamine; some trade or other names: DMT;
- 133 (21) 5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);
- 134 (22) Ibogaine; some trade and other names: 7-Ethyl-6, 6 Beta, 7, 8, 9, 10, 12, 13-
135 octahydro-2-methoxy-6, 9-methano-5H- pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe
136 iboga;
- 137 (23) Lysergic acid diethylamide;
- 138 (24) Marihuana;
- 139 (25) Mescaline;

140 (26) Parahexyl-7374; some trade or other names: 3-Hexyl -1-hydroxy-7, 8, 9, 10-
141 tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl;

142 (27) Peyote; meaning all parts of the plant presently classified botanically as *Lophophora*
143 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such
144 plant, and every compound, manufacture, salts, immediate derivative, mixture or preparation of
145 such plant, its seeds or extracts;

146 (28) N-ethyl-3-piperidyl benzilate;

147 (29) N-methyl-3-piperidyl benzilate;

148 (30) Psilocybin;

149 (31) Psilocyn;

150 (32) Tetrahydrocannabinols; synthetic equivalents of the substances contained in the
151 plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, immediate
152 derivatives and their isomers with similar chemical structure and pharmacological activity such as
153 the following:

154 delta-1 Cis or trans tetrahydrocannabinol, and their optical isomers;

155 delta-6 Cis or trans tetrahydrocannabinol, and their optical isomers;

156 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical isomers;

157 (Since nomenclature of these substances is not internationally standardized, compounds
158 of these structures, regardless of numerical designation of atomic positions covered.): Provided,
159 That low-THC cannabis, as defined, distributed, and regulated pursuant to article fifty-one,
160 chapter sixteen of this code, is not considered a schedule 1 drug pursuant to this section.

161 (33) Ethylamine analog of phencyclidine; some trade or other names: N-ethyl-1-
162 phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,
163 cyclohexamine, PCE;

164 (34) Pyrrolidine analog of phencyclidine; some trade or other names: 1-(1-
165 phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

- 166 (35) Thiophene analog of phencyclidine; some trade or other names: 1-[1-(2-thienyl)-
167 cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine; TPCP, TCP;
- 168 (36) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names: TCPy.
- 169 (37) 4-methylmethcathinone (Mephedrone);
- 170 (38) 3,4-methylenedioxypropylamphetamine (MDPV);
- 171 (39) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
- 172 (40) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)
- 173 (41) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)
- 174 (42) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)
- 175 (43) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)
- 176 (44) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)
- 177 (45) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)
- 178 (46) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)
- 179 (47) 2-(2,5-Dimethoxy-
180 4-(n)-propylphenyl)ethanamine (2C-P)
- 181 (48) 3,4-Methylenedioxy-N-methylcathinone (Methylone)
- 182 (49) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7, its optical isomers, salts
183 and salts of isomers
- 184 (50) 5-methoxy-N,N-dimethyltryptamine some trade or other names: 5-methoxy-3-[2-
185 (dimethylamino)ethyl]indole; 5-MeO-DMT(5-MeO-DMT)
- 186 (51) Alpha-methyltryptamine (other name: AMT)
- 187 (52) 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT)
- 188 (53) Synthetic Cannabinoids as follows:
- 189 (A) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol {also known as CP
190 47,497 and homologues};
- 191 (B) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol {also known as CP

- 192 47,497-C8 homolog};
- 193 (C) [(6a*R*)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7,10,10a-
- 194 tetrahydrobenzo[*c*]chromen-1-ol] {also known as HU-210};
- 195 (D) (dexanabinol);
- 196 (6a*S*,10a*S*)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
- 197 tetrahydrobenzo
- 198 [*c*]chromen-1-ol) {also known as HU-211};
- 199 (E) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};
- 200 (F) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};
- 201 (G) (2-methyl-1-propyl-1*H*-indol-3-yl)-1-naphthalenyl-methanone {also known as JWH-
- 202 015};
- 203 (H) (1-hexyl-1*H*-indol-3-yl)-1-naphthalenyl-methanone {also known as JWH-019};
- 204 (I) [1-[2-(4-morpholinyl) ethyl] -1*H*-indol-3-yl]-1-naphthalenyl-methanone {also known as
- 205 JWH-200};
- 206 (J) 1-(1-pentyl-1*H*-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone {also known as JWH-250};
- 207 (K) 2-((1*S*,2*S*,5*S*)-5-hydroxy-2- (3-hydroxypropyl)cyclohexyl) -5-(2-methyloctan-2-
- 208 yl)phenol {also known as CP 55,940};
- 209 (L) (4-methyl-1-naphthalenyl) (1-pentyl-1*H*-indol-3-yl) -methanone {also known as JWH-
- 210 122};
- 211 (M) (4-methyl-1-naphthalenyl) (1-pentyl-1*H*-indol-3-yl) -methanone {also known as JWH-
- 212 398};
- 213 (N) (4-methoxyphenyl)(1-pentyl-1*H*-indol-3-yl)methanone {also known as RCS-4};
- 214 (O) 1-(1-(2-cyclohexylethyl) -1*H*-indol-3-yl) -2-(2-methoxyphenyl) ethanone {also known
- 215 as RCS-8};
- 216 (P) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081);
- 217 (Q) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201); and

218 (R) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694).

219 (54) Synthetic cannabinoids or any material, compound, mixture or preparation which
220 contains any quantity of the following substances, including their analogues, congeners,
221 homologues, isomers, salts and salts of analogues, congeners, homologues and isomers, as
222 follows:

223 (A) CP 47,497 AND homologues, 2-[(1R,3S)-3-Hydroxycyclohexyl]-5-(2-methyloctan-2-
224 YL)phenol);

225 (B) HU-210, [(6AR,10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-Methyloctan-2-YL)-
226 6A,7,10, 10A-tetrahydrobenzo[C] chromen-1-OL)];

227 (C) HU-211, (dexanabinol, (6AS,10AS)-9-(hydroxymethyl)-6,6-Dimethyl-3-(2-
228 methyloctan-2-YL)-6A,7,10,10atetrahydrobenzo[C]chromen-1-OL);

229 (D) JWH-018, 1-pentyl-3-(1-naphthoyl)indole;

230 (E) JWH-019, 1-hexyl-3-(1-naphthoyl)indole;

231 (F) JWH-073, 1-butyl-3-(1-naphthoyl)indole;

232 (G) JWH-200, (1-(2-morpholin-4-ylethyl)indol-3-yl)- Naphthalen-1-ylmethanone;

233 (H) JWH-250, 1-pentyl-3-(2-methoxyphenylacetyl)indole.]

234 (55) Synthetic cannabinoids including any material, compound, mixture or preparation that
235 is not listed as a controlled substance in Schedule I through V, is not a federal Food and Drug
236 Administration approved drug or used within legitimate and approved medical research and which
237 contains any quantity of the following substances, their salts, isomers, whether optical positional
238 or geometric, analogues, homologues and salts of isomers, analogues and homologues, unless
239 specifically exempted, whenever the existence of these salts, isomers, analogues, homologues
240 and salts of isomers, analogues and homologues if possible within the specific chemical
241 designation:

242 (A) Tetrahydrocannabinols meaning tetrahydrocannabinols which are naturally contained
243 in a plant of the genus cannabis as well as synthetic equivalents of the substances contained in

244 the plant or in the resinous extractives of cannabis or synthetic substances, derivatives and their
245 isomers with analogous chemical structure and or pharmacological activity such as the following:

246 (i) DELTA-1 CIS OR trans tetrahydrocannabinol and their Optical isomers.

247 (ii) DELTA-6 CIS OR trans tetrahydrocannabinol and their optical isomers.

248 (iii) DELTA-3,4 CIS or their trans tetrahydrocannabinol and their optical isomers.

249 (B) Naphthoylindoles or any compound containing a 3-(1-Naphthoyl) indole structure with
250 substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole
251 ring to any extent and whether or not substituted in the naphthyl ring to any extent. This shall
252 include the following:

253 (i) JWH 015;

254 (ii) JWH 018;

255 (iii) JWH 019;

256 (iv) JWH 073;

257 (v) JWH 081;

258 (vi) JWH 122;

259 (vii) JWH 200;

260 (viii) JWH 210;

261 (ix) JWH 398;

262 (x) AM 2201;

263 (xi) WIN 55,212.

264 (56) Naphylmethylindoles or any compound containing a 1-indol-3-yl-(1-naphthyl)
265 methane structure with a substitution at the nitrogen atom of the indole ring whether or not further
266 substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to
267 any extent. This shall include, but not be limited to, JWH 175 and JWH 184.

268 (57) Naphthoylpyrroles or any compound containing a 3-(1-Naphthoyl) pyrrole structure
269 with substitution at the nitrogen atom of the pyrrole ring whether or not further substituted in the

270 pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. This
271 shall include, but not be limited to, JWH 147 and JWH 307.

272 (58) Naphthylmethylenes or any compound containing a Naphthylideneindene
273 structure with substitution at the 3- Position of the indene ring whether or not further substituted
274 in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.
275 This shall include, but not be limited to, JWH 176.

276 (59) Phenylacetylindoles or any compound containing a 3- Phenylacetylindole structure
277 with substitution at the nitrogen atom of the indole ring whether or not further substituted in the
278 indole ring to any extent and whether or not substituted in the phenyl ring to any extent. This shall
279 include the following:

280 (A) RCS-8, SR-18 OR BTM-8;

281 (B) JWH 250;

282 (C) JWH 203;

283 (D) JWH 251;

284 (E) JWH 302.

285 (60) Cyclohexylphenols or any compound containing a 2-(3- hydroxycyclohexyl) phenol
286 structure with a substitution at the 5-position of the phenolic ring whether or not substituted in the
287 cyclohexyl ring to any extent. This shall include the following:

288 (A) CP 47,497 and its homologues and analogs;

289 (B) Cannabicyclohexanol;

290 (C) CP 55,940.

291 (61) Benzoylindoles or any compound containing a 3-(benzoyl) indole structure with
292 substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole
293 ring to any extent and whether or not substituted in the phenyl ring to any extent. This shall include
294 the following:

295 (A) AM 694;

296 (B) Pravadoline WIN 48,098;

297 (C) RCS 4;

298 (D) AM 679.

299 (62) [2,3-dihydro-5 methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-DE]-1, 4-benzoxazin-6-
300 YL]-1-napthalenymethanone. This shall include WIN 55,212-2.

301 (63) Dibenzopyrans or any compound containing a 11-hydroxydelta 8-
302 tetrahydrocannabinol structure with substitution on the 3-pentyl group. This shall include HU-210,
303 HU-211, JWH 051 and JWH 133.

304 (64) Adamantoylindoles or any compound containing a 3-(-1- Adamantoyl) indole structure
305 with substitution at the nitrogen atom of the indole ring whether or not further substituted in the
306 adamantoyl ring system to any extent. This shall include AM1248.

307 (65) Tetramethylcyclopropylindoles or any compound containing A 3-
308 tetramethylcyclopropylindole structure with substitution at the nitrogen atom of the indole ring
309 whether or not further substituted in the indole ring to any extent and whether or not substituted
310 in the tetramethylcyclopropyl ring to any extent. This shall include UR-144 and XLR-11.

311 (66) N-(1-Adamantyl)-1-pentyl-1h-indazole-3-carboxamide. This shall include AKB48.

312 (67) Any other synthetic chemical compound that is a Cannabinoid receptor type 1 agonist
313 as demonstrated by binding studies and functional assays that is not listed in Schedules II, III, IV
314 and V, not federal Food and Drug Administration approved drug or used within legitimate,
315 approved medical research. Since nomenclature of these substances is not internationally
316 standardized, any immediate precursor or immediate derivative of these substances shall be
317 covered.

318 (68) Tryptamines:

319 (A) 5- methoxy- N- methyl-N-isopropyltryptamine (5-MeO-MiPT)

320 (B) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT)

321 (C) 4-hydroxy-N-methyl-N-isopropyltryptamine (4-HO-MiPT)

322 (D) 4-hydroxy-N-methyl-N-ethyltryptamine (4-HO-MET)

323 (E) 4-acetoxy-N,N-diisopropyltryptamine (4-AcO-DiPT)

324 (F) 5-methoxy- α -methyltryptamine (5-MeO-AMT)

325 (G) 4-methoxy-N,N-Dimethyltryptamine (4-MeO-DMT)

326 (H) 4-hydroxy Diethyltryptamine (4-HO-DET)

327 (I) 5- methoxy- N,N- diallyltryptamine (5-MeO-DALT)

328 (J) 4-acetoxy-N,N-Dimethyltryptamine (4-AcO DMT)

329 (K) 4-hydroxy Diethyltryptamine (4-HO-DET)

330 (e) *Depressants*. -- Unless specifically excepted or unless listed in another schedule, any
331 material, compound, mixture, or preparation which contains any quantity of the following
332 substances having a depressant effect on the central nervous system, including its salts, isomers
333 and salts of isomers whenever the existence of such salts, isomers and salts of isomers is
334 possible within the specific chemical designation:

335 (1) Mecloqualone;

336 (2) Methaqualone.

337 (f) *Stimulants*. -- Unless specifically excepted or unless listed in another schedule, any
338 material, compound, mixture, or preparation which contains any quantity of the following
339 substances having a stimulant effect on the central nervous system, including its salts, isomers
340 and salts of isomers:

341 (1) Aminorex; some other names: aminoxaphen; 2-amino-5- phenyl-2-oxazoline; or 4,5-
342 dihydro-5-phenyl-2-oxazolamine;

343 (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1- propanone, alpha-
344 aminopropiophenone, 2-aminopropiophenone and norephedrone;

345 (3) Fenethylamine;

346 (4) Methcathinone, its immediate precursors and immediate derivatives, its salts, optical
347 isomers and salts of optical isomers; some other names: (2-(methylamino)-propiophenone; alpha-

348 (methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1- one; alpha---
349 methylaminopropiofenone; monomethylpropion; 3,4-methylenedioxypropiofenone and/or
350 mephedrone;3,4-methylenedioxypropiofenone (MPVD); ephedrone; N-methylcathinone;
351 methylcathinone; AL-464; AL-422; AL- 463 and UR1432;

352 (5) (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-methyl- 5-phenyl-2-oxazolamine);

353 (6) N-ethylamphetamine;

354 (7) N,N-dimethylamphetemine; also known as N,N-alpha- trimethyl-benzeneethanamine;
355 N,N-alpha-trimethylphenethylamine.

356 (8) Alpha-pyrrolidinopentiophenone, also known as alpha-PVP, optical isomers, salts and
357 salts of isomers.

358 (9) Substituted amphetamines:

359 (A) 2-Fluoroamphetamine

360 (B) 3-Fluoroamphetamine

361 (C) 4-Fluoroamphetamine

362 (D) 2-chloroamphetamine

363 (E) 3-chloroamphetamine

364 (F) 4-chloroamphetamine

365 (G) 2-Fluoromethamphetamine

366 (H) 3-Fluoromethamphetamine

367 (I) 4-Fluoromethamphetamine

368 (J) 4-chloromethamphetamine

369 (g) Temporary listing of substances subject to emergency scheduling. Any material,
370 compound, mixture or preparation which contains any quantity of the following substances:

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

373 (2)N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical

374 isomers, salts and salts of isomers.

375 (3) N-benzylpiperazine, also known as BZP.

376 (h) The following controlled substances are included in Schedule I:

377 (1) Synthetic Cathinones or any compound, except bupropion or compounds listed under
378 a different schedule, or compounds used within legitimate and approved medical research,
379 structurally derived from 2- Aminopropan-1-one by substitution at the 1-position with Monocyclic
380 or fused polycyclic ring systems, whether or not the compound is further modified in any of the
381 following ways:

382 (A) By substitution in the ring system to any extent with Alkyl, alkylendioxy, alkoxy,
383 haloalkyl, hydroxyl or halide Substituents whether or not further substituted in the ring system by
384 one or more other univalent substituents.

385 (B) By substitution at the 3-position with an acyclic alkyl substituent.

386 (C) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl or
387 methoxybenzyl groups.

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

389 (2) Any other synthetic chemical compound that is a Cannabinoid receptor type 1 agonist
390 as demonstrated by binding studies and functional assays that is not listed in Schedules II, III, IV
391 and V, not federal Food and Drug Administration approved drug or used within legitimate,
392 approved medical research.

NOTE: The purpose of this bill is to authorize the medical use of cannabis based pharmaceutical products.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.