



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Board of Pharmacy

- Preproposal Statement of Inquiry was filed as WSR 03-09-124 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-887-170, amending the section to include carisoprodol in schedule IV of the Uniform Controlled Substances Act.

Hearing location(s): Fife Community Center
2111 54th Avenue East
Fife, WA. 98424

Date: September 17, 2009

Time: 9 am

Submit written comments to:

Name: Tim Fuller
Address: PO Box 47863
Olympia, WA 98504-7863
Website: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-2901 by (date) 09/03/2009

Assistance for persons with disabilities: Contact

Doreen Beebe by 09/03/2009

TTY (800) 833-6388 or () 711

Date of intended adoption: 09/17/2009

(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rule places a drug that is being increasingly abused into the controlled substances schedule IV. Placing carisoprodol in a controlled substances schedule will increase practitioners knowledge of carisoprodol and reduce abuse.

Reasons supporting proposal:

The experience with carisoprodol is that it is not only abused, but is documented to be increasingly abused. The data supporting the abuse comes from both national and local drug abuse tracking systems.

Statutory authority for adoption:

RCW 18.64.005(7), RCW 69.50.201

Statute being implemented:

RCW 69.50.201

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 04, 2009

TIME: 2:47 PM

WSR 09-16-119

DATE 08/04/09

NAME (type or print)

Susan Boyer

SIGNATURE

TITLE

Executive Director, Board of Pharmacy

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

none

Name of proponent: (person or organization) Washington State Board of Pharmacy

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Tim Fuller	310 Israel Rd SE Tumwater	360-236-4827
Implementation.... Susan Boyer	310 Israel Rd SE Tumwater	360-236-4853
Enforcement..... Susan Boyer	301 Israel Rd SE Tumwater	360-236-4853

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Tim Fuller

Address: PO Box 47863

Olympia, WA 98504

phone 360-236-4827

fax 360-236-2901

e-mail tim.fuller@doh.wa.gov

No: Please explain:

AMENDATORY SECTION (Amending WSR 98-02-084, filed 1/7/98, effective 1/7/98)

WAC 246-887-170 Schedule IV. The board finds that the following substances have a low potential for abuse relative to substances in Schedule III and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. The board, therefore, places each of the following substances in Schedule IV.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule IV.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

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

(2) Dextropropoxyphene (alpha-(+)-e-dimethylamino-1,2-diphenyl-3-methyl-2 propionoxybutane).

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, 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) Alprazolam;
- (2) Barbitol;
- (3) Bromazepam;
- (4) Camazepam;
- (5) Carisoprodol;
- ~~(6)~~ Chloral betaine;
- ~~((+6))~~ (7) Chloral hydrate;
- ~~((+7))~~ (8) Chlordiazepoxide;
- ~~((+8))~~ (9) Clobazam;
- ~~((+9))~~ (10) Clonazepam;
- ~~((+10))~~ (11) Clorazepate;
- ~~((+11))~~ (12) Clotiazepam;
- ~~((+12))~~ (13) Cloxazolam;
- ~~((+13))~~ (14) Delorazepam;
- ~~((+14))~~ (15) Diazepam;
- ~~((+15))~~ (16) Estazolam;
- ~~((+16))~~ (17) Ethchlorvynol;
- ~~((+17))~~ (18) Ethinamate;
- ~~((+18))~~ (19) Ethyl loflazepate;

- ((+19)) (20) Fludiazepam;
- ((+20)) (21) Flunitrazepam;
- ((+21)) (22) Flurazepam;
- ((+22)) (23) Halazepam;
- ((+23)) (24) Haloxazolam;
- ((+24)) (25) Ketazolam;
- ((+25)) (26) Loprazolam;
- ((+26)) (27) Lorazepam;
- ((+27)) (28) Lormetazepam;
- ((+28)) (29) Mebutamate;
- ((+29)) (30) Medazepam;
- ((+30)) (31) Meprobamate;
- ((+31)) (32) Methohexital;
- ((+32)) (33) Methylphenobarbital (mephobarbital);
- ((+33)) (34) Midazolam;
- ((+34)) (35) Nimetazepam;
- ((+35)) (36) Nitrazepam;
- ((+36)) (37) Nordiazepam;
- ((+37)) (38) Oxazepam;
- ((+38)) (39) Oxazolam;
- ((+39)) (40) Paraldehyde;
- ((+40)) (41) Petrichloral;
- ((+41)) (42) Phenobarbital;
- ((+42)) (43) Pinazepam;
- ((+43)) (44) Prazepam;
- ((+44)) (45) Quazepam;
- ((+45)) (46) Temazepam;
- ((+46)) (47) Tetrazepam;
- ((+47)) (48) Triazolam;
- ((+48)) (49) Zolpidem.

(d) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, 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.

(e) Stimulants. 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) Cathine ((+) - norpseudoephedrine);
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- (6) Mefenorex;
- (7) Pemoline (including organometallic complexes and chelates thereof);
- (8) Phentermine;

- (9) Pipradrol;
- (10) SPA ((-)-1-dimethylamino-1, 2-dephenylethane.
- (f) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:
 - (1) Pentazocine;
 - (2) Butorphanol.