

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 137

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO PROVIDE THAT MIFEPRISTONE AND MISOPROSTOL SHALL BE SCHEDULE IV DRUGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2711, Idaho Code, be, and the same is hereby amended to read as follows:

37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(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) No more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane);

(3) 2- [(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (including tramadol), including its salts, optical and geometric isomers, and salts of isomers.

(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) Alfaxalone 5[alpha]-pregnan-3[alpha]-ol-11,20-dione;

(2) Alprazolam;

(3) Barbital;

(4) Bromazepam;

(5) Camazepam;

(6) Carisoprodol;

(7) Chloral betaine;

(8) Chloral hydrate;

(9) Chlordiazepoxide;

(10) Clobazam;

(11) Clonazepam;

(12) Clorazepate;

(13) Clotiazepam;

(14) Cloxazolam;

(15) Daridorexant;

(16) Delorazepam;

- 1 (17) Diazepam;
- 2 (18) Dichloralphenazone;
- 3 (19) Estazolam;
- 4 (20) Ethchlorvynol;
- 5 (21) Ethinamate;
- 6 (22) Ethyl loflazepate;
- 7 (23) Fludiazepam;
- 8 (24) Flurazepam;
- 9 (25) Fospropofol;
- 10 (26) Halazepam;
- 11 (27) Haloxazolam;
- 12 (28) Ketazolam;
- 13 (29) Lemborexant;
- 14 (30) Loprazolam;
- 15 (31) Lorazepam;
- 16 (32) Lormetazepam;
- 17 (33) Mebutamate;
- 18 (34) Medazepam;
- 19 (35) Meprobamate;
- 20 (36) Methohexital;
- 21 (37) Methylphenobarbital (mephobarbital);
- 22 (38) Midazolam;
- 23 (39) Nimetazepam;
- 24 (40) Nitrazepam;
- 25 (41) Nordiazepam;
- 26 (42) Oxazepam;
- 27 (43) Oxazolam;
- 28 (44) Paraldehyde;
- 29 (45) Petrichloral;
- 30 (46) Phenobarbital;
- 31 (47) Pinazepam;
- 32 (48) Prazepam;
- 33 (49) Quazepam;
- 34 (50) Remimazolam;
- 35 (51) Serdexmethylpheniate;
- 36 (52) Suvorexant;
- 37 (53) Temazepam;
- 38 (54) Tetrazepam;
- 39 (55) Triazolam;
- 40 (56) Zaleplon;
- 41 (57) Zolpidem;
- 42 (58) Zopiclone.

43 (d) Fenfluramine -- Any material, compound, mixture, or preparation
44 which contains any quantity of the following substances, including its
45 salts, isomers (whether optical, position, or geometric), and salts of such
46 isomers, whenever the existence of such salts, isomers, and salts of isomers
47 is possible:

- 48 (1) Dexfenfluramine;
- 49 (2) Fenfluramine.

1 (e) Stimulants. Unless specifically excepted or unless listed in an-
 2 other schedule, any material, compound, mixture, or preparation which con-
 3 tains any quantity of the following substances having a stimulant effect on
 4 the central nervous system, including its salts, isomers (whether optical,
 5 position, or geometric), and salts of such isomers whenever the existence
 6 of such salts, isomers, and salts of isomers is possible within the specific
 7 chemical designation:

- 8 (1) Cathine ((+)-norpseudoephedrine);
- 9 (2) Diethylpropion;
- 10 (3) Fencamfamin;
- 11 (4) Fenproporex;
- 12 (5) Lorcaserin;
- 13 (6) Mazindol;
- 14 (7) Mefenorex;
- 15 (8) Modafinil;
- 16 (9) Pemoline (including organometallic complexes and chelates
 17 thereof);
- 18 (10) Phentermine;
- 19 (11) Pipradrol;
- 20 (12) Sibutramine;
- 21 (13) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 22 (14) Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol,
 23 beta-amino-, carbamate (ester)).

24 (f) Other substances. Unless specifically excepted, or unless listed
 25 in another schedule, any material, compound, mixture or preparation which
 26 contains any quantity of the following substances, including its salts:

- 27 (1) Brexanolone (3A-hydroxy-5A-pregnan-20-one), allopregnanolone;
- 28 (2) Butorphanol (including its optical isomers);
- 29 (3) Eluxadolone (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
 30 dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-
 31 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical
 32 isomers) and its salts, isomers, and salts of isomers;
- 33 (4) Mifepristone;
- 34 (5) Misoprostol;
- 35 ~~(4)~~ (6) Pentazocine.

36 (g) The board may except, by rule, any compound, mixture, or prepara-
 37 tion containing any depressant substance listed in subsection (c) of this
 38 section from the application of all or any part of this act if the compound,
 39 mixture, or preparation contains one (1) or more active medicinal ingredi-
 40 ents not having a depressant effect on the central nervous system, and if the
 41 admixtures are included therein in combinations, quantity, proportion, or
 42 concentration that vitiate the potential for abuse of the substances which
 43 have a depressant effect on the central nervous system.

44 SECTION 2. An emergency existing therefor, which emergency is hereby
 45 declared to exist, this act shall be in full force and effect on and after
 46 July 1, 2025.