Rules & Resolutions - March 2024

Resolution: Appointment of Home Medical Equipment Services Provider Advisory Council

In accordance with section 4752.24, the State of Ohio hereby appoints the following persons to the Home Medical Equipment Services Advisory Council:

- Thomas Powell, Director, Mercy Health Home Medical Equipment (vacant position)
- Crystal Young, Director of Compliance Regulatory and Risk, Medical Service Company (replacing Judy Bunn, who has retired)

RULES

For filing with CSI and JCARR

Rule 4729:5-3-23 | Mobile clinics or medication units. (NEW)

(A) The following may operate a mobile unit to dispense, personally furnish, or otherwise distribute or administer prescription medications and devices to individuals in this state without a fixed address or who would otherwise not have access to medication services:

(1) A nonprofit organization, corporation, or association as defined in the Ohio Revised Code; or

(2) A for-profit entity for the purpose of providing services to an individual needing treatment for a substance use disorder, a mental health condition, and any related medical issue.

(B) A mobile clinic or medication unit shall register for a no-cost, satellite license affiliated with an existing terminal distributor of dangerous drugs as specified by the board.

(C) A mobile clinic or medication unit shall comply with the following:

(1) Except as provided in paragraph (C)(2) of this rule, if distributing dangerous drugs that have already been dispensed or personally furnished in accordance with this division of the Administrative Code, the drugs must be in the full and actual charge of a licensed or registered health care professional authorized under Chapter 4715., 4723., 4729., 4730., 4731., or 4741. of the Revised Code.

(2) If transporting drugs for distribution and there is no healthcare professional present on the mobile unit, as described in paragraph (C)(1) of this rule, all dangerous drugs shall be secured using physical locks to prevent unauthorized access.

(3) If engaged in the following:

(a) Dispensing dangerous drugs: a licensed pharmacist shall be on the premises and the mobile unit shall be under the control and management of the pharmacist. All dispensing activities shall comply with the requirements of Chapter 4729:5-5 of the Administrative Code.

(b) Personally furnishing dangerous drugs: a licensed healthcare professional authorized to prescribe drugs shall be on the premises and the mobile unit shall be under the control and management of the licensed healthcare provider. All personally furnishing activities shall comply with the requirements of Chapter 4729:5-19 of the Administrative Code.

(4) Implement a record keeping system that will provide accountability for proper receipt, delivery, disposal, and return of all prescription medications in accordance with applicable record keeping provisions in division 4729:5 of the Administrative Code.

(5) Except for mobile units that are stored in a locked garage with access control, dangerous drugs shall not be left in the mobile unit during the hours that the mobile unit is not in operation. Without exception, a terminal distributor shall not maintain controlled substances in the mobile unit when the unit is not in use.

(6) All mobile units shall be dry, well lit, well ventilated, and maintained in a clean, sanitary, and orderly condition. Storage areas for dangerous drugs shall be maintained at temperatures and conditions which will ensure the integrity of the drugs as stipulated by the USP/NF and/or the manufacturer's or distributor's labeling.

(7) All mobile units shall be secured with suitable locks capable of preventing unauthorized access.

Rule 4729:5-5-18 | Dispensing customized patient medication packages by an outpatient pharmacy.

In lieu of dispensing two or more dangerous drugs in separate containers, a pharmacist practicing at an outpatient pharmacy may dispense a customized patient medication package. A customized patient medication package is a package for a specific patient comprising a series of containers and containing two or more prescribed solid oral dosage forms that complies with the following requirements:

(A) The package is designed, or each container is labeled, to indicate the day and time or period of time when the contents within each container are to be taken by the patient.

(B) The number of drugs placed in each container cannot exceed the capability of the container to prevent damage to the dosage forms.

(C) The quantity of the package dispensed may not be more than a ~~**thirty-one-day**~~ **ninety-day** supply.

(D) The labels must be of sufficient size to properly and clearly label a thirty-one-day or less supply with all information required in accordance with this chapter of the Administrative Code, including the use of accessory labels.

(E) The package must include an expiration date or beyond-use date, which shall not exceed the expiration date on the manufacturer's container or six months from the date the drug was originally packaged, whichever date is earlier. If multiple manufacturer containers are used, the expiration date shall not exceed the expiration date on the manufacturer's container that will expire first or six months from the date the drug was originally repackaged, whichever date is earlier.

(F) Dangerous drugs which have been dispensed in a customized patient medication package may only be returned to stock or re-dispensed in accordance with all the following:

(1) The drugs have not been in the possession of the ultimate user; and

(2) The drugs have not been placed in the same container with another dangerous drug (i.e. did not come into direct contact with a different drug within the same container).

(G) The containers of a package are sealed or secured in such a way that access to the drugs stored within is not possible without leaving visible proof that such access has been attempted or made.

(H) Any pharmacy dispensing customized patient medication packages in accordance with this rule must implement policies and procedures that will exclude drugs having any of the following characteristics from such packaging:

(1) The U.S.P. monograph or official labeling requires dispensing in the original container, unless there is documentation from the manufacturer stating otherwise;

(2) The drugs or dosage forms are incompatible with packaging components or each other;

(3) The drugs are therapeutically incompatible when administered simultaneously;

(4) The drugs require special packaging.

Rule Comments:

Response	Comment
Opponent	Not sure of the rationale behind going from 31 to 60 days supply. Is it stability or some other factor? I ask because if there is no greater stability risk, the days supply change should consider 90 days. We have a robust multi-dose packaging blister program in our pharmacy but are often declined by patients because of their 90-day mail order discount rates. We have access to dispense that quantity at the same rate, but since we can only package 31 days (currently) we often aren't able to enroll very qualified patients that struggle with non-adherence. Our adherence rates exceed 90% so we know getting more patients would improve outcomes.
Opponent	Propose 90 days rather than 60 days. Most patients don't do packaging because they can get 90 days cheaper through mail order. Mail order contributes to waste, not outcomes.
Proponent	I myself use a custom package pill pack in baggies and I love it - it helps me so much with my own adherence. Very convenient. I would though as a patient and traveler prefer a 90-day supply for my pill packs. Especially for meds that I know will stay the same. I personally would not mix controlled meds in same baggies as rest of meds nor place them into a package like that, so a 90ds for regular meds would be nice. Especially since some insurances prefer 90ds fills.
Opponent	The change to 60 days makes no sense. No outpatient pharmacy dispenses 60 days at a time. We do 30 or 90 days, insurance permitting, so why not extend the rules to allow 90 days? What makes a difference if it's a customized packaging or a standard vial and cap? Or prepackaged stock bottle from the manufacturer? Why limit it at all?
Opponent	I am in a position where I meet with patients and identify non-adherence to taking their medications. I have found an extremely valuable and impactful intervention is to get those patients set up with medication adherence packaging. After referring patients to a packaging pharmacy, I too frequently become disappointed to find out afterwards that the patient did not

	follow thru with the packaging - most commonly because the patient is able to save money by getting a 90 day supply thru their mail order - AND the insurance would pay for 90 days at the local outpatient packaging pharmacy as well, BUT current Ohio law only allows the packaging pharmacy to fill up to 31 days. This same unfortunate situation - where patients would choose not to follow thru with medication adherence packaging - would continue even if Ohio law increased from 31 to 60 days supply. So I am asking the Board to please consider increasing the day supply limit from 31 days currently to 90 day supply, so that a more optimal number of patients who are currently non-adherent to taking their medications from pill bottles, will find the same insurance costs associated with medication packaging as they would from their mail order pharmacy - and therefore would choose to use the medication packaging as a way to improve their medication adherence, and in turn help improve their health outcomes.
Opponent	I feel that by changing the blister pack daily supply from 31 to 60 only helps part of the problem. Yes, the patient gets 2 months of medication as opposed to 1, but most people who have mail order options, are able to receive 90 days worth. This is convenient, but does not help adherence for the patient in taking the medication. If we were able to blister pack 90 day supplies of medications for patients, it would keep them more adherent because there will be a clear indication that they received their medication for that day as opposed to bottles and guessing. We find our adherence numbers rise with our blister pack program and would like to continue to serve patients and help them achieve their medication adherence.
Opponent	-Part D still states 31 days despite part C being amended to 60 days -Part E should follow USP compounding guidelines, not an arbitrary 6 month note for all medications. A statement along the lines of "BUD following current USP 795/797/800 guidelines" would be appropriate
Opponent	I work for a medication package pharmacy. Our customers appreciate all the help we provide to them. We are often asked to provide a 90 days supply to our customers since their insurance will cover that and it is a cost savings for them. We have many people decline the service due to us not being able to dispense 90 days. I believe moving to 90 days vs 60 would help many people with their medication adherence by using our service. We do medication reconciliation before refilling packs in order to help with our patient outcomes.
Opponent	Often times patients choose to go through mail-order pharmacies, rather than ours, simply because they can get 90-days for cheaper. If we were able to package 90-days as well, those patients, whom have non-adherence issues, would be able to keep on track with their doses with much more accuracy.
Opponent	To Whom it May Concern, I am writing this letter to respond to the request for stakeholder comments regarding OAC 4729:5-5-18. We were extremely excited to learn that the Ohio Board of Pharmacy is re-evaluating the current 31-day supply limits for patient specific packaging but had some concerns on the proposed increase to 60-day supply. There was no explanation in the proposed ruling as to why this day supply was

	chosen. Barring any proven issue with drug stability we propose consideration be given to increase this to 90-day supply. Our health system, ProMedica, has operated a multi-dose, blister packaging pharmacy for over 12 years servicing thousands of patients during that time. The vast majority of our patients are over the age of 65 and on average take 10 medications. We contact patients each month prior to refilling to perform medication reconciliation, conduct pill counts, and address barriers to adherence. Based on dispensing software calculations, we average 91-93% MPR and PDC for our patient population. Our customer satisfaction rates near 100% and our providers greatly appreciate the counseling and between visit input we provide them and often refer at-risk patients to program. Despite this our capture rate for these referrals is only about 50% and the primary reason for this is because PBMs typically offer patients 90-day supplies at mail order discounted rates. Given our patient population is primarily Medicare Part D and on fixed income, as much as they would prefer to use our program, the financial incentive is too great for them to pass on despite knowing it is not in their best medical interest. Time and again mail order pharmacies have never been shown to improve patient outcomes and ultimately promote greater cost through stockpiling and wasted medications. And patients never receive the same level of care and consideration as they would from local pharmacies. To be blunt, mail order pharmacies are a necessary evil for this patient population, but we can change that. The good news is that for most Part D plans we are contractually permitted to dispense 90-day supply to these patients at the price point they desire. What remains is our ability to offer our packaging and program at these quantities. Again, we ask the Board of to consider this request to increase to 90 day supply on behalf of our and many other pharmacies like ours in communities all over Ohio who can provide enhanced services and improved outcomes to patients. Thank you for your consideration.

Rule 4729:5-2-03 | Change in description of a terminal distributor of dangerous drugs. (RESCIND/NEW)

(A) Any change in the ownership, business or trade name, category, or address of a terminal distributor of dangerous drugs requires an application and required fee. The application and required fee shall be submitted within thirty days of any change in the ownership, business or trade name, category, or address.

(B) A change of ownership includes any of the following:

(1) For all terminal distributors of dangerous drugs:

(a) Any business entity change from its original form, as licensed, to a sole proprietorship, partnership, limited liability company, corporation, or any other business entity.

(b) Two wholly owned subsidiaries of a parent company are merged.

(c) A currently licensed terminal distributor is purchased or operated by a different business entity than what is listed on the original application, even if the location maintains the original "doing business as" (DBA) and/or responsible person.

(2) For corporations:

(a) Except as provided in paragraph (B)(2)(d) of this rule, a change of controlling interest of ten per cent or more of a licensed corporation's outstanding shares of voting stock.

(b) An existing corporation ceases, and a new corporation or other business entity is formed.

(c) An existing corporation continues and there is a one hundred per cent stock purchase by another corporation or other business entity.

(d) For publicly traded corporations, a routine sale of stock is not a change of ownership.

A publicly traded corporation is a company that has listed itself on at least one public stock exchange or has issued securities and is subject to public reporting requirements.

(3) For partnerships, any partnership change, other than that which was originally licensed.

(a) A partnership change is deemed to have occurred when:

(i) There is an addition of one or more partners in a partnership to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) A transfer of a portion of ownership among existing partners is not a change of ownership, if there is no addition of a partner.

(4) For a limited liability company, any membership change of a limited liability company, other than that which was originally licensed.

(a) A membership change is deemed to have occurred when:

(i) There is an addition of one or more members in a company to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) For limited liability companies, a transfer of a portion of ownership among existing members is not a change of ownership, if there is no addition of a member.

(5) Any other business model change**,** as determined by the board to be a change of ownership.

(C) If any change of ownership in accordance with paragraph (B) of this rule results in a new or different DBA or a new or different employer identification number (EIN), an application and fee is required.

(D) A change of ownership in accordance with this rule may result in the issuance of a new license.

(E) A change of ownership, as described in paragraph (B) of this rule, of a licensee’s parent or holding company which does not exercise direct control of the licensed entity, shall not require an application, fee, or new license number.

(F) A change of address includes the physical relocation of the licensee’s operations and location of the drug stock. This shall include a change of suites within an existing building or campus.

(G) A change of address that results from a change within a local government entity or United States postal service (U.S.P.S.) that does not include any physical relocation of the licensee’s operations shall not require an application and fee. The licensee shall submit written notification to the board, in a manner determined by the board, indicating the change of address.

Rule 4729:5-2-04 | Procedure for discontinuing business as a terminal distributor of dangerous drugs. (AMEND)

(A) A terminal distributor of dangerous drugs who plans to discontinue business activities shall file a notice with the board of pharmacy. The notice shall be submitted, in a manner determined by the board**, within thirty days of discontinuation of business as a terminal distributor of dangerous drugs**. ~~**at least thirty days in advance of the proposed date of discontinuing business, unless waived by the board's executive director or the director's designee due to extraordinary circumstances beyond the licensee's control.**~~ This notice shall include the following information:

(1) The name, address, and license number of the terminal distributor discontinuing business.

(2) The name, address, and license number of the terminal distributor or other authorized entity where the dangerous drugs will be transferred.

(3) The name and address of the secured location where the records of purchase and sale will be kept in accordance with this division of the Administrative Code.

(4) The proposed date of discontinuing business.

(B) Unless the licensee is informed by the executive director before the proposed date of discontinuing business that the transfer of dangerous drugs and records may not occur, the licensee discontinuing business may transfer the dangerous drugs and **patient** records**.** ~~**in accordance with the following:**~~

~~**(1)**~~ **(C)** On the date of discontinuing business, a complete **inventory of** all controlled substances being transferred, or disposed of, in accordance with rule 4729:5-3-01 of the Administrative Code, shall be made. The inventory shall list the name, strength, dosage form, and quantity of all controlled substances transferred or disposed.

~~**(2)**~~ This inventory shall serve as the final inventory of the licensee discontinuing business and the initial inventory of the licensee to whom the controlled substances are being transferred. A copy of the inventory shall be included in the records of each licensee involved in the transfer.

(D) A terminal distributor of dangerous drugs licensed as a pharmacy that is permanently closing shall:

(1) Provide notification, using the information on file with the pharmacy, to each patient who has filled a prescription within the previous six months. This notification must be made a minimum of fifteen calendar days prior to closing and must include:

(a) The last day the pharmacy will be open;

(b) Name, address, and telephone number of the pharmacy that will take possession of the pharmacy records or the person who will serve as the custodian of records;

(c) Instructions on how patients can arrange for transfer of their pharmacy records to a pharmacy of their choice; and

(d) The last day a transfer may be initiated.

(2) The notification shall be made via:

(a) Direct mail, e-mail, or text message; and

(b) Posting a closing notice on each pharmacy entrance, on each telephone greeting, and pharmacy-operated internet (e.g., website, social media, mobile applications).

(3) Provide any new patients filling prescriptions during the fifteen-calendar day period prior to the pharmacy closing with written notification that includes:

(a) The last day the pharmacy will be open;

(b) Name, address and telephone number of the pharmacy to which pharmacy records will be transferred or the person who will serve as the custodian of pharmacy records;

(c) Instructions on how patients can arrange for transfer of their pharmacy records to a pharmacy of their choice; and

(d) The last day a transfer may be initiated.

Rule 4729:6-2-05 | Change in description of a distributor of dangerous drugs. (RESCIND/NEW)

(A) Any change in the ownership, business or trade name, category, or address of a distributor of dangerous drugs requires an application and required fee. The application and required fee shall be submitted within thirty days of any change in the ownership, business or trade name, category, or address.

(B) A change of ownership includes any of the following:

(1) For all distributors of dangerous drugs:

(a) Any business entity change from its original form, as licensed, to a sole proprietorship, partnership, limited liability company, corporation, or any other business entity.

(b) Two wholly owned subsidiaries of a parent company are merged.

(c) A currently licensed drug distributor is purchased or operated by a different business entity than what is listed on the original application, even if the location maintains the original "doing business as" (DBA) and/or responsible person.

(2) For corporations:

(a) Except as provided in paragraph (B)(2)(d) of this rule, a change of controlling interest of ten per cent or more of a licensed corporation's outstanding shares of voting stock.

(b) An existing corporation ceases, and a new corporation or other business entity is formed.

(c) An existing corporation continues and there is a one hundred per cent stock purchase by another corporation or other business entity.

(d) For publicly traded corporations, a routine sale of stock is not a change of ownership.

A publicly traded corporation is a company that has listed itself on at least one public stock exchange or has issued securities and is subject to public reporting requirements.

(3) For partnerships, any partnership change, other than that which was originally licensed.

(a) A partnership change is deemed to have occurred when:

(i) There is an addition of one or more partners in a partnership to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) A transfer of a portion of ownership among existing partners is not a change of ownership, if there is no addition of a partner.

(4) For a limited liability company, any membership change of a limited liability company, other than that which was originally licensed.

(a) A membership change is deemed to have occurred when:

(i) There is an addition of one or more members in a company to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) For limited liability companies, a transfer of a portion of ownership among existing members is not a change of ownership, if there is no addition of a member.

(5) Any other business model change**,** as determined by the board to be a change of ownership.

(C) If any change of ownership in accordance with paragraph (B) of this rule results in a new or different DBA or a new or different employer identification number (EIN), an application and fee is required.

(D) A change of ownership in accordance with this rule may result in the issuance of a new license.

(E) A change of ownership, as described in paragraph (B) of this rule, of a licensee’s parent or holding company which does not exercise direct control of the licensed entity, shall not require an application, fee, or new license number.

(F) A change of address includes the physical relocation of the licensee’s operations and location of the drug stock. This shall include a change of suites within an existing building or campus.

(G) A change of address that results from a change within a local government entity or United States postal service (U.S.P.S.) that does not include any physical relocation of the licensee’s operations shall not require an application and fee. The licensee shall submit written notification to the board, in a manner determined by the board, indicating the change of address.

Rule 4729:6-11-01 | Third-Party Logistics Providers - General Operations. (AMEND)

The following requirements shall apply to all persons licensed as third-party logistics providers:

(A) All facilities where dangerous drugs are stored, warehoused, handled, held, offered, marketed, or displayed shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) Have a quarantine area for storage of dangerous drugs that are damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed secondary containers that have been opened. Such drugs shall be stored in accordance with paragraph (B) of this rule;

(4) Be maintained in a clean and orderly condition;

(5) Be free from infestation by insects, rodents, birds, or vermin of any kind.

(B) Adulterated drugs shall be stored in a separate and secure area apart from the storage of drugs used for distribution and sale.

(1) Adulterated drugs shall be stored no longer than two years from the date of adulteration or expiration. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons.

(2) Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in paragraph **(B)(3)** of this rule, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons.

(3) Records of dangerous drug destructions, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug destroyed, the date destroyed, the method of destruction, the positive identification of the responsible person that performed the destruction, and the positive identification of the person that witnessed the destruction.

(~~3~~ **4**) Dangerous drugs that are controlled substances shall be disposed of pursuant to rule 4729:6-3-01 of the Administrative Code. **...**

Rule 4729:6-10-01 | Outsourcing Facilities - General Operations. (AMEND)

The following requirements shall apply to all persons licensed as outsourcing facilities:

(A) All facilities shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) Have a quarantine area for storage of dangerous drugs that are damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed secondary containers that have been opened. Such drugs shall be stored in accordance with paragraph (B) of this rule;

(4) Be maintained in a clean and orderly condition;

(5) Be free from infestation by insects, rodents, birds, or vermin of any kind;

(6) ~~**Shall be**~~ **Be** registered as a business entity with the appropriate state or local authority(s) and must operate out of a location that is zoned for commercial use and not out of a residence or personal dwelling.

(B) Adulterated drugs shall be stored in a separate and secure area apart from the storage of drugs used for compounding, distribution**,** and sale.

(1) Adulterated drugs shall be stored no longer than two years from the date of adulteration or expiration. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons.

(2) Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in paragraph **(B)(3)** of this rule, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons.

(3) Records of dangerous drug destructions, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug destroyed, the date destroyed, the method of destruction, the positive identification of the responsible person that performed the destruction, and the positive identification of the person that witnessed the destruction.

(~~3~~ **4**) Dangerous drugs that are controlled substances shall be disposed of pursuant to rule 4729:6-3-01 of the Administrative Code.

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Rule 4729:6-9-01 | Repackagers - General Operations. (AMEND)

The following requirements shall apply to all persons licensed as a repackager of dangerous drugs:

(A) All facilities shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) Have a quarantine area for storage of dangerous drugs that are damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed secondary containers that have been opened. Such drugs shall be stored in accordance with paragraph (B) of this rule;

(4) Be maintained in a clean and orderly condition;

(5) Be free from infestation by insects, rodents, birds, or vermin of any kind;

(6) ~~**Shall be**~~ **Be** registered as a business entity with the appropriate state or local authority(s) and must operate out of a location that is zoned for commercial use and not out of a residence or personal dwelling.

(B) Adulterated drugs shall be stored in a separate and secure area apart from the storage of drugs used for repackaging, distribution**,** and sale.

(1) Adulterated drugs shall be stored no longer than two years from the date of adulteration or expiration. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons.

(2) Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in paragraph **(B)(3)** of this rule, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons.

(3) Records of dangerous drug destructions, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug destroyed, the date destroyed, the method of destruction, the positive identification of the responsible person that performed the destruction, and the positive identification of the person that witnessed the destruction.

(~~3~~ **4**) Dangerous drugs that are controlled substances shall be disposed of pursuant to rule 4729:6-3-01 of the Administrative Code.

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Rule 4729:6-8-01 | Manufacturers - General Operations. (AMEND)

The following requirements shall apply to all persons licensed as a manufacturer of dangerous drugs:

(A) All facilities shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) Have a quarantine area for storage of dangerous drugs that are damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed secondary containers that have been opened. Such drugs shall be stored in accordance with paragraph (B) of this rule;

(4) Be maintained in a clean and orderly condition;

(5) Be free from infestation by insects, rodents, birds, or vermin of any kind;

(6) ~~**Shall be**~~ **Be** registered as a business entity with the appropriate state or local authority(s) and must operate out of a location that is zoned for commercial use and not out of a residence or personal dwelling.

(B) Adulterated drugs shall be stored in a separate and secure area apart from the storage of drugs used for manufacturing, distribution**,** and sale.

(1) Adulterated drugs shall be stored no longer than two years from the date of adulteration or expiration. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons.

(2) Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in paragraph **(B)(3)** of this rule, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons.

(3) Records of dangerous drug destructions, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug destroyed, the date destroyed, the method of destruction, the positive identification of the responsible person that performed the destruction, and the positive identification of the person that witnessed the destruction.

(~~3~~ **4**) Dangerous drugs that are controlled substances shall be disposed of pursuant to rule 4729:6-3-01 of the Administrative Code.

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Rule 4729:6-5-01 | Wholesale Distributors - General Operations. (AMEND)

The following requirements shall apply to all persons licensed as a wholesale distributor of dangerous drugs:

(A) All facilities shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) Have a quarantine area for storage of dangerous drugs that are damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed secondary containers that have been opened. Such drugs shall be stored in accordance with paragraph (B) of this rule;

(4) Be maintained in a clean and orderly condition;

(5) Be free from infestation by insects, rodents, birds, or vermin of any kind;

(6) ~~**Shall be**~~ **Be** registered as a business entity with the appropriate state or local authority(s) and must operate out of a location that is zoned for commercial use and not out of a residence or personal dwelling.

(B) Adulterated drugs shall be stored in a separate and secure area apart from the storage of drugs used for distribution and sale.

(1) Adulterated drugs shall be stored no longer than two years from the date of adulteration or expiration. Adulterated drugs shall be stored in a manner that prohibits access by unauthorized persons.

(2) Dangerous drugs, other than controlled substances, may be destroyed utilizing proper methods of disposal and following the record keeping requirements noted in paragraph **(B)(3)** of this rule, or may be donated to a pharmacy school pursuant to sections 3715.88 to 3715.92 of the Revised Code. Methods of disposal of non-controlled dangerous drugs shall prevent the possession or use of the drugs by unauthorized persons.

(3) Records of dangerous drug destructions, other than controlled substances, shall contain the name, strength, dosage form, and quantity of the dangerous drug destroyed, the date destroyed, the method of destruction, the positive identification of the responsible person that performed the destruction, and the positive identification of the person that witnessed the destruction.

(~~3~~ **4**) Dangerous drugs that are controlled substances shall be disposed of pursuant to rule 4729:6-3-01 of the Administrative Code.

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5-Year Review of Controlled Substance Schedules

- **Rule 4729:9-1-01 (Schedule I controlled substances):**
    - Updates incorporation by reference for substances temporarily scheduled by the Drug Enforcement Administration.
- **Rule 4729:9-1-02 (Schedule II controlled substances):**
    - No changes.
- **Rule 4729:9-1-03 (Schedule III controlled substances):**
    - No changes.
- **Rule 4729:9-1-04 (Schedule IV controlled substances):**
    - Removing Fenfluramine from the list of Schedule IV controlled substances to correspond with its removal from the federal schedules.
- **Rule 4729:9-1-05 (Schedule V controlled substances):**
    - No changes.

Rule 4729:9-1-01 | Schedule I controlled substances.

Pursuant to section 3719.41 of the Revised Code, controlled substance schedule I is hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

(A) As used in this rule:

(1) "Synthetic" unless specifically excepted or unless listed in another schedule, means any substance, material, compound, mixture, or preparation that contains any quantity of a substance made artificially by chemical reaction.

(2) "Pharmacophore" means the portion of a chemical structure that confers the activity of the substance.

(3) "A report from an established forensic laboratory" means a laboratory report from the bureau of criminal identification and investigation, or a laboratory operated by another law enforcement agency, or a laboratory established by or under the authority of an institution of higher education that has its main campus in this state and that is accredited by the association of American universities or the north central association of colleges and secondary schools, primarily for the purpose of providing scientific services to law enforcement agencies and signed by the person performing the analysis as defined in division (A) of section 2925.51 of the Revised Code.

(4) "Synthetic cannabinoids" are drugs commonly found in herbal incense products (common names include but are not limited to: spice, blaze, devil's advocate, genie, smoke, sense, zohai, spike 99, and K2) that may mimic the effects of delta-9-tetrahydrocannabinol (THC), an active central nervous system constituent compound of marijuana.

(B) Narcotics-opiates

Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation (for purposes of 3-methylthiofentanyl only, the term isomer includes the optical and geometric isomers):

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

(2) Acetylmethadol;

(3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; other name: acryloylfentanyl);

(5) AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide;

(6) Allylprodine;

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

(8) Alphameprodine;

(9) Alphamethadol;

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

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

(12) Benzethidine;

(13) Betacetylmethadol;

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

(15) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4- piperidinyl]-N- phenylpropanamide);

(16) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide (other name: beta-Hydroxythiofentanyl);

(17) Betameprodine;

(18) Betamethadol;

(19) Betaprodine;

(20) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);

(21) Clonitazene;

(22) Dextromoramide;

(23) Diampromide;

(24) Diethylthiambutene;

(25) Difenoxin;

(26) Dimenoxadol;

(27) Dimepheptanol;

(28) Dimethylthiambutene;

(29) Dioxaphetyl butyrate;

(30) Dipipanone;

(31) Ethylmethylthiambutene;

(32) Etonitazene;

(33) Etoxeridine;

(34) 4-Fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide; other name: para-fluoroisobutyryl fentanyl);

(35) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide);

(36) Furethidine;

(37) Hydroxypethidine;

(38) Ketobemidone;

(39) Levomoramide;

(40) Levophenacylmorphan;

(41) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

(42) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);

(43) Morpheridine;

(44) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(45) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);

(46) Noracymethadol;

(47) Norlevorphanol;

(48) Normethadone;

(49) Norpipanone;

(50) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide);

(51) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;

(52) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;

(53) Phenadoxone;

(54) Phenampromide;

(55) Phenomorphan;

(56) Phenoperidine;

(57) Piritramide;

(58) Proheptazine;

(59) Properidine;

(60) Propiram;

(61) Racemoramide;

(62) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2- carboxamide);

(63) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;

(64) Tilidine;

(65) Trimeperidine;

(66) U-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide);

(67) Except as otherwise provided in this chapter, any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory:

(a) A chemical scaffold consisting of both of the following:

(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.

(b) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide, or ester;

(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and

(d) The compound has not been approved for medical use by the United States food and drug administration.

(68) N,N-Diethyl-2-[[4-(1-methylethoxy)phenyl]methyl]-5-nitro-1H-benzimidazole-1-ethanamine (isotonitazene).

(69) 2-Methyl-AP-237 (1-[2-methyl-4-[(E)-3-phenylprop-2-enyl]piperazin-1-yl]butan-1-one).

(70) AP-237 (1-[4-(3-phenyl-2-propen-1-yl)-1-piperazinyl]-1-butanone).

(71) Tianeptine.

(C) Narcotics-opium derivatives

Any of the following opium derivatives, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;

(2) Acetyldihydrocodeine;

(3) Benzylmorphine;

(4) Codeine methylbromide;

(5) Codeine-n-oxide;

(6) Cyprenorphine;

(7) Desomorphine;

(8) Dihydromorphine;

(9) Drotebanol;

(10) Etorphine (except hydrochloride salt);

(11) Heroin;

(12) Hydromorphinol;

(13) Methyldesorphine;

(14) Methyldihydromorphine;

(15) Morphine methylbromide;

(16) Morphine methylsulfonate;

(17) Morphine-n-oxide;

(18) Myrophine;

(19) Nicocodeine;

(20) Nicomorphine;

(21) Normorphine;

(22) Pholcodine;

(23) Thebacon;

(24) 6-monoacetylmorphine (6-MAM).

(D) Hallucinogens

Any material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this division only, "isomer" includes the optical isomers, position isomers, and geometric isomers.

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

(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy- alpha-methyphenethylamine; 4-bromo-2,5-DMA);

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

(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);

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

(7) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);

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

(9) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy- alpha-methylphenethylamine; "DOM" and "STP");

(10) 3,4-methylenedioxy amphetamine (MDA);

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

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

(13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl- 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);

(14) 3,4,5-trimethoxy amphetamine;

(15) 5-methoxy-N,N-dimethyltryptamine (some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT);

(16) Alpha-methyltryptamine (other name: AMT);

(17) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2- dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);

(18) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);

(19) Dimethyltryptamine (some trade or other names: DMT);

(20) 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);

(21) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy- 6,9-methano- 5H-pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);

(22) Lysergic acid diethylamide;

(23) Marihuana;

(24) Mescaline;

(25) Parahexyl (some trade or other names: 3-hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9- trimethyl-6H-dibenzo[b,d]pyran; synhexyl);

(26) Peyote (meaning all parts of the plant presently classified botanically as "Lophophora williamsii Lemaire," whether growing or not, the seeds of that plant, any extract from any part of that plant, and every compound, manufacture, salts, derivative, mixture, or preparation of that plant, its seeds, or its extracts);

(27) N-ethyl-3-piperidyl benzilate;

(28) N-methyl-3-piperidyl benzilate;

(29) Psilocybin;

(30) Psilocyn;

(31) Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta-1- cis or trans tetrahydrocannabinol, and their optical isomers; delta-6-cis or trans tetrahydrocannabinol, and their optical isomers; delta-3,4-cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered.)), excluding any of the following:

(a) Tetrahydrocannabinols found in "hemp" and "hemp products" as those terms are defined in section 928.01 of the Revised Code; and

(b) Any other substance containing tetrahydrocannabinols as authorized in this chapter of the Administrative Code.

(32) N-ethyl-1- phenylcyclohexylamine (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);

(33) 1-(1- phenylcyclohexyl)pyrrolidine (PCPy; PHP);

(34) 1-[1-(2-thienyl)-cyclohexyl]- piperidine (2-thienyl analog of phencyclidine; TPCP; TCP);

(35) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (some other names: TCPy);

(36) 4-methylmethcathinone (mephedrone);

(37) 3,4-methylenedioxypyrovalerone (MDPV);

(38) 3,4-Methylenedioxy-N-methylcathinone (Methylone);

(39) Hashish;

(40) Salvia divinorum;

(41) Salvinorin A;

(42) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

(43) 1-pentyl-3-(1-adamantoyl)indole (AB-001);

(44) N-adamantyl-1-pentylindole-3-carboxamide (APICA, 2NE1);

(45) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB- FUBINACA);

(46) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA);

(47) N-adamantyl-1-pentylindazole-3-carboxamide (APINACA, AKB48);

(48) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);

(49) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);

(50) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);

(51) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);

(52) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);

(53) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3-tetramethylcyclopropyl) methanone (A- 796,260);

(54) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1-adamantoyl)indole (AM1248);

(55) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide (5F-APICA, STS135);

(56) 5-(2-aminopropyl)benzofuran (5-APB);

(57) 6-(2-aminopropyl)benzofuran (6-APB);

(58) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);

(59) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);

(60) Benzothiophenylcyclohexylpiperidine (BTCP);

(61) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);

(62) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);

(63) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

(64) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);

(65) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);

(66) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);

(67) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);

(68) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);

(69) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);

(70) 4-methoxymethamphetamine (PMMA);

(71) 5,6 - Methylenedioxy-2-aminoindane (MDAI);

(72) 5-iodo-2-aminoindiane (5-IAI);

(73) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine(25I-NBOMe);

(74) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe, 2C-C- NBOMe);

(75) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe, 2C-B- NBOMe);

(76) 4-methyl-N-ethylcathinone (4-MEC);

(77) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);

(78) Alpha-pyrrolidinopentiophenone (alpha-PVP);

(79) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB);

(80) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);

(81) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1- one (pentylone, bk-MBDP);

(82) 4-fluoro-N-methylcathinone (4-FMC; flephedrone);

(83) 3-fluoro-N-methylcathinone (3-FMC);

(84) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone);

(85) Alpha-pyrrolidinobutiophenone (alpha-PBP);

(86) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA);

(87) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (AB-PINACA);

(88) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (THJ-2201);

(89) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MAB- CHMINACA; ADB-CHMINACA);

(90) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);

(91) Desoxypipradrol (2-benzhydrylpiperidine);

(92) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical groups:

(a) Naphthoylindoles: any compound containing a 3-(1-naphthoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthoylindoles include, but are not limited to, 1-[2-(4- morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1-naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole (JWH- 073).

(b) Naphthylmethylindoles: any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N- methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthylmethylindoles include, but are not limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175).

(c) Naphthoylpyrroles: any compound containing a 3-(1-naphthoyl)pyrrole structure with or without substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-

methylpyrrolidin- 2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4- morpholinyl)ethyl group, whether or not further substituted on the pyrrole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthoylpyrroles include, but are not limited to, 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147).

(d) Naphthylmethylindenes: any compound containing a naphthylmethylideneindene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4- morpholinyl)ethyl group, whether or not further substituted on the indene group to any extent or whether or not substituted on the naphthyl group to any extent. Naphthylmethylindenes include, but are not limited to, (1-[(3-pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176).

(e) Phenylacetylindoles: any compound containing a 3-phenylacetylindole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the phenyl group to any extent. Phenylacetylindoles include, but are not limited to, 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

(f) Cyclohexylphenols: any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with or without substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4- morpholinyl)ethyl group, whether or not further substituted on the cyclohexyl group to any extent. Cyclohexylphenols include, but are not limited to, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol (some trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2- [(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: cannabicyclohexanol; CP- 47,497 C8 homologue).

(g) Benzoylindoles: any compound containing a 3-(1-benzoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the phenyl group to any extent. Benzoylindoles include, but are not limited to, 1-pentyl-3-(4-

methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098).

(93) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC);

(94) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22);

(95) Except as otherwise provided in this rule, any compound that meets at least three of the following cannabinoid pharmacophore requirements to bind at the CB1 and CB2 receptors, as identified by a report from an established forensic laboratory:

(a) A chemical scaffold consisting of substituted or non-substituted ring structures that facilitate binding of required elements (such as: indole compounds, indazoles, benzimidazoles or other ring types);

(b) Alkyl or aryl side chain off the chemical scaffold providing hydrophobic interaction with the CB1 and CB2 receptors;

(c) Carbonyl or ester or equivalent for hydrogen bonding;

(d) Cyclohexane, naphthalene ring, substituted butanamide or equivalent for steric requirements for CB1 and CB2 receptor binding.

(E) Depressants

Any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Mecloqualone;

(2) Methaqualone;

(3) Except as listed in rule 4729:9-1-03 of the Administrative Code, gamma-hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(4) Etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine);

(5) Except as otherwise provided in this chapter, any compound that contains the following structural requirements of a benzodiazepine pharmacophore, as identified by a report from an established forensic laboratory:

A core structure consisting of a benzene ring fused to the seven-membered diazepine ring with a 5-aryl substituent aka 5-aryl-1,4-benzodiazepine for binding to the GABA receptor. Regardless of impact on the lipophilic properties of the compound, a benzodiazepine pharmacophore may contain a variety of functional groups including, but not limited to, aldehydes, ketones, esters, and amides.

This paragraph only applies to a compound that has not been approved for medical use by the United States food and drug administration.

(F) Stimulants

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers:

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

(2) N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);

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

(4) Fenethylline;

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

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

(7) N-ethylamphetamine;

(8) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N- alpha-trimethylphenethylamine);

(9) N-methyl-1-(thiophen-2-yl) propan-2-amine (methio-propamine);

(10) Substituted cathinones - any compound except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(a) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(b) By substitution at the 3-position with an acyclic alkyl substituent;

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;

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

(11) Except as otherwise provided in this rule, any compound that contains the structural requirements of the cathinone pharmacophore, as identified by a report from an established forensic laboratory.

(G) For the purpose of complying with federal law, all materials, compounds, mixtures or preparations which contain any substance temporarily placed in schedule I pursuant to 21 U.S.C. 811 by the United States drug enforcement administration (**~~4/14/2023~~ 3/1/2024**).

Rule 4729:9-1-02 | Schedule II controlled substances.

Pursuant to section 3719.41 of the Revised Code, controlled substance schedule II is hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

(A) Narcotics-opium and opium derivatives

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone, and naltrexone, and their respective salts, but including the following:

(a) Raw opium;

(b) Opium extracts;

(c) Opium fluid extracts;

(d) Powdered opium;

(e) Granulated opium;

(f) Tincture of opium;

(g) Codeine;

(h) Dihydroetorphine;

(i) Ethylmorphine;

(j) Etorphine hydrochloride;

(k) Hydrocodone;

(l) Hydromorphone;

(m) Metopon;

(n) Morphine;

(o) Noroxymorphone;

(p) Oripavine;

(q) Oxycodone;

(r) Oxymorphone;

(s) Thebaine.

(2) Any salt, compound, derivative, or preparation thereof that is chemically equivalent to or identical with any of the substances referred to in paragraph (A)(1) of this rule, except that these substances shall not include the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves (including cocaine and ecgonine, their salts, isomers, and derivatives, and salts of those isomers and derivatives), and any salt, compound, derivative, or preparation thereof that is chemically equivalent to or identical with any of these substances, except that the substances shall not include:

(a) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or

(b) [123I]ioflupane.

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form that contains the phenanthrene alkaloids of the opium poppy).

(B) Narcotics-opiates

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, but excluding dextrorphan and levopropoxyphene:

(1) Alfentanil;

(2) Alphaprodine;

(3) Anileridine;

(4) Bezitramide;

(5) Bulk dextropropoxyphene (non-dosage forms);

(6) Carfentanil;

(7) Dihydrocodeine;

(8) Diphenoxylate;

(9) Fentanyl;

(10) Isomethadone;

(11) Levo-alphacetylmethadol (some other names: levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);

(12) Levomethorphan;

(13) Levorphanol;

(14) Metazocine;

(15) Methadone;

(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;

(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;

(18) Pethidine (meperidine);

(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

(21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

(22) Phenazocine;

(23) Piminodine;

(24) Racemethorphan;

(25) Racemorphan;

(26) Remifentanil;

(27) Sufentanil;

(28) Tapentadol;

(29) Thiafentanil.

(C) Stimulants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, its optical isomers, and salts of its optical isomers;

(2) Methamphetamine, its salts, its isomers, and salts of its isomers;

(3) Methylphenidate;

(4) Phenmetrazine and its salts;

(5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

(D) Depressants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of

these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital;

(2) Glutethimide;

(3) Pentobarbital;

(4) Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)piperidine; PCP);

(5) Secobarbital;

(6) 1-aminophenylcyclohexane and all N-mono-substituted and/or all N-N-disubstituted analogs including, but not limited to, the following:

(a) 1-phenylcyclohexylamine;

(b) (1-phenylcyclohexyl) methylamine;

(c) (1-phenylcyclohexyl) dimethylamine;

(d) (1-phenylcyclohexyl) methylethylamine;

(e) (1-phenylcyclohexyl) isopropylamine;

(f) 1-(1-phenylcyclohexyl) morpholine.

(E) Hallucinogenic substances

(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a- hexahydro-1- hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one);

(2) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a dangerous drug approved for marketing by the U.S. food and drug administration.

(F) Immediate precursors

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:

Phenylacetone (some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone);

(2) Immediate precursors to phencyclidine (PCP):

(a) 1-phenylcyclohexylamine;

(b) 1-piperidinocyclohexanecarbonitrile (PCC).

(3) Immediate precursor to fentanyl:

4-anilino-N-phenethylpiperidine (ANPP).

Rule 4729:9-1-03 | Schedule III controlled substances.

Pursuant to section 3719.41 of the Revised Code, controlled substance schedule III is hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

(A) Stimulants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) All stimulant compounds, mixtures, and preparations included in schedule III pursuant to the federal drug abuse control laws and regulations adopted under those laws;

(2) Benzphetamine;

(3) Chlorphentermine;

(4) Clortermine

(5) Phendimetrazine.

(B) Depressants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs, and one or more other active medicinal ingredients that are not listed in any schedule;

(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository;

(3) Any substance that contains any quantity of a derivative of barbituric acid or any salt of a derivative of barbituric acid;

(4) Chlorhexadol;

(5) Embutramide;

(6) Any dangerous drug containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (8/20/2019);

(7) Ketamine, its salts, isomers, and salts of isomers (some other names for ketamine: (+/-)-2-(2- chlorophenyl)-2-(methylamino)-cyclohexanone);

(8) Lysergic acid;

(9) Lysergic acid amide;

(10) Methyprylon;

(11) Sulfondiethylmethane;

(12) Sulfonethylmethane;

(13) Sulfonmethane;

(14) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2- fluorophenyl)-6,8- dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one; flupyrazapon);

(15) Xylazine.

(C) Narcotic antidotes

Nalorphine.

(D) Narcotics-narcotic preparations

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains 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 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(4) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, set forth as follows:

Buprenorphine.

(E) Anabolic steroids

(1) Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, esters, isomers, and salts of esters and isomers, whenever the existence of these salts, esters, and isomers is possible within the specific chemical designation.

(2) Anabolic steroids. Except as otherwise provided in paragraph (E)(1) of this rule, "anabolic steroids" means any drug or hormonal substance that is chemically and

pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) and that promotes muscle growth. "Anabolic steroids" does not include an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and that has been approved by the United States secretary of health and human services for that administration, unless a person prescribes, dispenses, or distributes this type of anabolic steroid for human use. "Anabolic steroid" includes, but is not limited to, the following:

(a) 3beta,17-dihydroxy-5a-androstane;

(b) 3alpha,17beta-dihydroxy-5a-androstane;

(c) 5alpha-androstan-3,17-dione;

(d) 1-androstenediol (3beta,17beta-dihydroxy-5a-androst-1-ene);

(e) 1-androstenediol (3alpha,17beta-dihydroxy-5a-androst-1-ene);

(f) 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);

(g) 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);

(h) 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);

(i) 4-androstenedione (androst-4-en-3,17-dione);

(j) 5-androstenedione (androst-5-en-3,17-dione);

(k) Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

(l) Boldenone (17beta-hydroxyandrost-1,4-diene-3-one);

(m) Boldione (androsta-1,4-diene-3,17-dione);

(n) Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

(o) Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);

(p) Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);

(q) Desoxymethyltestosterone (17alpha-methyl-5alpha-androst-2-en-17beta-ol) (a.k.a. 'madol');

(r) Delta 1-dihydrotestosterone (a.k.a.'1-testosterone') (17beta-hydroxy-5alpha-androst-1-en-3-one);

(s) 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);

(t) Drostanolone (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

(u) Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

(v) Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);

(w) Formebolone (2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-dien-3-one);

(x) Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);

(y) 13beta-ethyl-17beta-hydroxygon-4-en-3-one;

(z) 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

(aa) 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

(bb) Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);

(cc) Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

(dd) Methandienone (17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);

(ee) Methandriol (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);

(ff) Methasterone (2alpha,17alpha-dimethyl-5alpha-androstan-17beta-ol-3-one);

(gg) Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

(hh) 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;

(ii) 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;

(jj) 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene;

(kk) 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);

(ll) Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);

(mm) Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9,11-trien-3-one);

(nn) Methyltestosterone (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);

(oo) Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);

(pp) 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (a.k.a. '17-alpha-methyl-1-testosterone');

(qq) Nandrolone (17beta-hydroxyestr-4-en-3-one);

(rr) 19-nor-4-androstenediol (3beta, 17beta-dihydroxyestr-4-ene);

(ss) 19-nor-4-androstenediol (3alpha, 17beta-dihydroxyestr-4-ene);

(tt) 19-nor-5-androstenediol (3beta, 17beta-dihydroxyestr-5-ene);

(uu) 19-nor-5-androstenediol (3alpha, 17beta-dihydroxyestr-5-ene);

(vv) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);

(ww) 19-nor-4-androstenedione (estr-4-en-3,17-dione);

(xx) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

(yy) Norbolethone (13beta, 17alpha-diethyl-17beta-hydroxygon-4-en-3-one);

(zz) Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);

(aaa) Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);

(bbb) Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);

(ccc) Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);

(ddd) Oxymesterone (17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);

(eee) Oxymetholone (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androstan-3-one);

(fff) Prostanozol (17beta-hydroxy-5alpha-androstano[3,2-c]pyrazole);

(ggg) Stanozolol (17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);

(hhh) Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

(iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);

(jjj) Testosterone (17beta-hydroxyandrost-4-en-3-one);

(kkk) Tetrahydrogestrinone (13beta, 17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);

(lll) Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one);

(mmm) Methandranone;

(nnn) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in paragraph (E)(2) of this rule if the salt, ester, or isomer promotes muscle growth.

(F) Hallucinogenic substances

Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)- 6a,7,8,10a-tetrahydro- 6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- tetrahydrocannabinol).

Rule 4729:9-1-04 | Schedule IV controlled substances.

Pursuant to section 3719.41 of the Revised Code, controlled substance schedule IV is hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

(A) Narcotic drugs

Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities set forth as follows:

(1) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane)[final dosage forms];

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

(B) Depressants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Alfaxalone;

(2) Alprazolam;

(3) Barbital;

(4) Brexanolone;

(5) Bromazepam;

(6) Camazepam;

(7) Carisoprodol;

(8) Chloral betaine;

(9) Chloral hydrate;

(10) Chlordiazepoxide;

(11) Clobazam;

(12) Clonazepam;

(13) Clorazepate;

(14) Clotiazepam;

(15) Cloxazolam;

(16) Delorazepam;

(17) Diazepam;

(18) Dichloralphenazone;

(19) Estazolam;

(20) Ethchlorvynol;

(21) Ethinamate;

(22) Ethyl loflazepate;

(23) Fludiazepam;

(24) Flunitrazepam;

(25) Flurazepam;

(26) Fospropofol;

(27) Halazepam;

(28) Haloxazolam;

(29) Ketazolam;

(30) Loprazolam;

(31) Lorazepam;

(32) Lormetazepam;

(33) Mebutamate;

(34) Medazepam;

(35) Meprobamate;

(36) Methohexital;

(37) Methylphenobarbital (mephobarbital);

(38) Midazolam;

(39) Nimetazepam;

(40) Nitrazepam;

(41) Nordiazepam;

(42) Oxazepam;

(43) Oxazolam;

(44) Paraldehyde;

(45) Petrichloral;

(46) Phenobarbital;

(47) Pinazepam;

(48) Prazepam;

(49) Quazepam;

(50) Suvorexant;

(51) Temazepam;

(52) Tetrazepam;

(53) Triazolam;

(54) Zaleplon;

(55) Zolpidem;

(56) Zopiclone.

~~**(C) Fenfluramine**~~

~~**Any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:**~~

~~**Fenfluramine.**~~

(~~**D**~~**C**) Lorcaserin

Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

Lorcaserin.

(~~**E**~~**D**) Stimulants

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these 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) Modafinil;

(8) Pemoline (including organometallic complexes and chelates thereof);

(9) Phentermine;

(10) Pipradrol;

(11) Sibutramine;

(12) Solriamfetol (2-amino-3-phenylpropyl car-bamate; benzenepropanol, beta-amino-, carbamate (ester));

(13) SPA [(-)-1-dimethylamino-1,2-diphenylethane].

(~~f~~**FE**) Other substances

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts:

(1) Pentazocine;

(2) Butorphanol (including its optical isomers);

(3) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1- (4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers.

Rule 4729:9-1-05 | Schedule V controlled substances.

Pursuant to section 3719.41 of the Revised Code, controlled substance schedule V is hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

(A) Narcotics-narcotic preparations

Narcotic drugs containing non-narcotic active medicinal ingredients. Any compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, and that includes one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

(1) Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;

(2) Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;

(3) Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;

(4) Not more than 2.5 milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(5) Not more than one hundred milligrams of opium perone hundred milliliters or per one hundred grams;

(6) Not more than 0.5 milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit.

(B) Stimulants

Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers:

(1) Ephedrine, except as provided in division (K) of section 3719.44 of the Revised Code;

(2) Pyrovalerone.

(C) United States food and drug administration approved cannabidiol drugs

Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1- methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and not more than 0.1 per cent (w/w) residual tetrahydrocannabinols.

(D) Depressants

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

(1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact) (including its salts);

(2) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester];

(3) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide]; and

(4) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].