

**Senate Bill No. 339**

(By Senators Palumbo, Stollings and Jenkins)

[Introduced January 14, 2014; referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.]

A BILL to amend and reenact §60A-2-210 of the Code of West Virginia, 1931, as amended, relating to adding tramadol and its related salts and isomers to the list of Schedule IV controlled substances.

*Be it enacted by the Legislature of West Virginia:*

That §60A-2-210 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 2. STANDARDS AND SCHEDULES.****§60A-2-210. 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

1 preparation containing any of the following narcotic drugs, or  
 2 their salts calculated as the free anhydrous base or alkaloid, in  
 3 limited quantities as set forth below:

4 (1) Not more than 1 milligram of difenoxin and not less than  
 5 25 micrograms of atropine sulfate per dosage unit;

6 ( 2 ) D e x t r o p r o p o x y p h e n e  
 7 (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybuta  
 8 ne);

9 ( 3 ) T r a m a d o l  
 10 [2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol, its  
 11 salts, optical and geometric isomers and salts of these isomers].

12 (c) *Depressants.* Unless specifically excepted or unless  
 13 listed in another schedule, any material, compound, mixture or  
 14 preparation which contains any quantity of the following  
 15 substances, including its salts, isomers and salts of isomers  
 16 whenever the existence of such salts, isomers and salts of isomers  
 17 is possible within the specific chemical designation:

18 (1) Alprazolam;

19 (2) Barbital;

20 (3) Bromazepam;

21 (4) Camazepam;

22 (5) Carisoprodol;

23 (6) Chloral betaine;

- 1 (7) Chloral hydrate;
- 2 (8) Chlordiazepoxide;
- 3 (9) Clobazam;
- 4 (10) Clonazepam;
- 5 (11) Clorazepate;
- 6 (12) Clotiazepam;
- 7 (13) Cloxazolam;
- 8 (14) Delorazepam;
- 9 (15) Diazepam;
- 10 (16) Estazolam;
- 11 (17) Ethchlorvynol;
- 12 (18) Ethinamate;
- 13 (19) Ethyl loflazepate;
- 14 (20) Fludiazepam;
- 15 (21) Flunitrazepam;
- 16 (22) Flurazepam;
- 17 (23) Halazepam;
- 18 (24) Haloxazolam;
- 19 (25) Ketazolam;
- 20 (26) Loprazolam;
- 21 (27) Lorazepam;
- 22 (28) Lormetazepam;
- 23 (29) Mebutamate;

- 1 (30) Medazepam;
- 2 (31) Meprobamate;
- 3 (32) Methohexital;
- 4 (33) Methylphenobarbital (mephobarbital);
- 5 (34) Midazolam;
- 6 (35) Nimetazepam;
- 7 (36) Nitrazepam;
- 8 (37) Nordiazepam;
- 9 (38) Oxazepam;
- 10 (39) Oxazolam;
- 11 (40) Paraldehyde;
- 12 (41) Petrichloral;
- 13 (42) Phenobarbital;
- 14 (43) Pinazepam;
- 15 (44) Prazepam;
- 16 (45) Quazepam;
- 17 (46) Temazepam;
- 18 (47) Tetrazepam;
- 19 (48) Triazolam;
- 20 (49) Zolpidem.

21 (d) *Fenfluramine*. Any material, compound, mixture or  
22 preparation which contains any quantity of the following substance,  
23 including its salts, isomers (whether optical, position or

1 geometric) and salts of such isomers whenever the existence of such  
2 salts, isomers and salts of isomers is possible: Fenfluramine.

3 (e) *Stimulants*. Unless specifically excepted or unless listed  
4 in another schedule, any material, compound, mixture or preparation  
5 which contains any quantity of the following substances having a  
6 stimulant effect on the central nervous system, including its  
7 salts, isomers and salts of isomers:

8 (1) Cathine ((+)-norpseudoephedrine);

9 (2) Diethylpropion;

10 (3) Fencamfamin;

11 (4) Fenproporex;

12 (5) Mazindol;

13 (6) Mefenorex;

14 (7) Pemoline (including organometallic complexes and chelates  
15 thereof);

16 (8) Phentermine;

17 (9) Pipradrol;

18 (10) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

19 (f) *Other substances*. -- Unless specifically excepted or  
20 unless listed in another schedule, any material, compound, mixture  
21 or preparation which contains any quantity of the following  
22 substances, including its salts:

23 (1) Pentazocine;

1       (2) Butorphanol.

2       Amyl nitrite, butyl nitrite, isobutyl nitrite and the other  
3 organic nitrites are controlled substances and no product  
4 containing these compounds as a significant component shall be  
5 possessed, bought or sold other than pursuant to a bona fide  
6 prescription or for industrial or manufacturing purposes.

**NOTE:** The purpose of this bill is to add tramadol and its related salts and isomers to the list of schedule IV controlled substances, which has been similarly proposed at the federal level.

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