

MINUTES

**UTAH
CONTROLLED SUBSTANCES ADVISORY COMMITTEE
MEETING**

November 4, 2010

**Room 474 – 4th Floor – 1:00 P.M. – 5:00 P.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 3:10 P.M.

ADJOURNED: 4:30 P.M.

Bureau Manager:

Richard J. Oborn

Board Secretary:

Lee Avery

Committee Members Present:

David N. Sundwall, MD, Chair
Alexander B. Larsen, DDS
Scott Reed
Kristen Ries, MD
Todd C. Grey, MD
David C. Young, R.Ph.
Glen R. Hanson, MD
Darin M. Vercillo, MD
Jennifer McNair acting as Committee member in place
of Major Jeff Carr

Committee Members Absent

Elizabeth Howell, MD
Major Jeff Carr

Guests:

Paul Boyden, Executive Director of Utah Association
of Prosecutors
Dan Weist, Standard Examiner
Scott Van Wagoner, Unified Police Department

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Committee reviewed the minutes dated October 4,
2010. Dr. Vercillo motioned to approve the minutes,
seconded by Dr. Ries. The motion carried
unanimously.

1. Update regarding research of options
for regulating Spice by making
amendments to the Utah Controlled

Mr. Boyden provided the Committee a copy of a
working draft of a bill that the legislature is in process
of preparing to be considered during the upcoming

Substances Act

- a. Report regarding option under consideration, Paul Boyden

legislative session. The bill captures ideas discussed and supported by the Committee during the last meeting. At the October 6, 2010 Committee meeting, the Committee members approved a motion to recommend that the Utah Legislature take legislative action during the 2011 General Legislative Session to address abuse of Spice; however, the Committee did not formally approve specific recommendations regarding how certain substances found in Spice should be regulated.

Mr. Boyden reported to the Committee regarding changes made to the working draft since the Committee reviewed it during the last Committee meeting. Mr. Boyden explained various provisions of the working draft to members of the Committee.

- b. Impact of options on DOPL licensing, Rich Oborn
- c. Committee discussion of options under consideration

Mr. Boyden asked Committee members whether there was reason that HU-210 should be listed as a Schedule I substance in the Utah Controlled Substances Act. Committee members expressed support for inclusion of HU-210 in the new list of “listed controlled substances” rather than Schedule I.

Mr. Oborn reported that licensing issues are all addressed in the updated working draft.

2. Committee recommendations for legislature based on research of options

Committee members expressed support for changes made to the working draft and identified the option represented in the working draft as the best option for regulation of the synthetic cannabinoid substances found in Spice.

Mr. Oborn presented a rough draft of the Committee’s written report to include the Committee’s recommendations for the legislature. The committee expressed support for the general proposal presented in the rough draft but requested changes. The Committee requested that Mr. Oborn make the requested changes to the rough draft of the written report and email an updated copy to Committee members after the meeting. The updated version of the written report read as follows:

- (1) **Synthetic cannabinoid substances found in “Spice” present a risk to public health and**

safety. “Spice” is a mixture of dried herbs sprayed with synthetic cannabinoid substances, such as JWH-018. Although the chemical structure of JWH-018 differs significantly from THC (the psychoactive ingredient in marijuana), it produces similar effects and reports to be more potent than THC. Because “Spice” is currently unregulated in Utah, it is easy to purchase at corner markets and “headshops.” “Spice” is advertised on its packaging as “not for human consumption,” but when smoked, it has been found to have the following effects on its users: impaired reaction time and motor coordination, intense anxiety and agitation, elevated blood pressure, rapid heart rate or respiration, vomiting, hallucinations, seizures, numbness and tingling in extremities, depression, and headaches. The fact that “Spice” does not show a positive reading in current routine urinalysis drug tests adds to the desirability and increased growth among drug abusers and increases the threat to the public health and safety by avoiding detection. There is no quality control to ensure the purity or safety of the product. Adverse reactions to “Spice” are easily possible because the type and amount of synthetic cannabinoid has been found to vary considerably from batch to batch. Several local health departments throughout Utah attribute multiple emergency room visits to use of “Spice.”

- (2) **Synthetic cannabinoid substances found in “Spice” should not be placed in a controlled substance schedule established in the Utah Controlled Substances Act (Title 58, Chapter 37).** The Committee found that synthetic cannabinoid substances found in “Spice” products have a high potential for abuse; however, no scientific evidence indicates that the substances are addictive. A lack of data and controlled testing makes it difficult to determine the long-term effects of synthetic cannabinoid compounds contained in “Spice.” Although chemicals in “Spice” are reported to have a tetrahydrocannabinol

(THC)-like effect, this finding is anecdotal, not scientific. The Committee is concerned that the addition of a synthetic cannabinoid substance to a specific controlled substance schedule will hinder the practice of legitimate medical research of the substance. Adding of a synthetic cannabinoid substance to a specific controlled substance schedule may also hinder the appropriate medical application of the substance in the future. For these reasons, the Committee does not recommend placement of the synthetic cannabinoid substances found in “Spice” in a controlled substances schedule.

- (3) **The Utah Controlled Substances Act should be amended to include a new list of “listed controlled substances” and the synthetic cannabinoid chemicals found in Spice should be added to the list.** By creating a new list of “controlled”, but not “scheduled” substances, and adding synthetic cannabinoid substances to the list, the sale and use of “Spice” and other products containing synthetic cannabinoids could be prohibited without hindering legitimate research of the substances. This proposal prohibits public production, possession, and administration of substances in Spice, but holders of controlled substance licenses would still be able to produce, possess, or administer the “listed controlled substances” as they conduct legitimate research on the substances. The Committee finds that “Spice” contains substances with the following chemical structures and recommends that these substances be included in the list of controlled substances: AM-694; CP 47,497 and its C6, C8, and C9 homologs; HU-210; HU-211; JWH-015; JWH-018; JWH-019; JWH-073; JWH-081; JWH-122; JWH-200; JWH-250; JWH-251; JWH-398; and RCS-8.

The Committee may later recommend to the Legislature that additional substances be added to the proposed list of “listed controlled substances.”

3. Report before Health and Human Services Interim Committee on November 17, 2010.

Dr. Grey moved to approve the written report with non-substantive changes to be made as requested by Committee members after they have a chance to review the updated version that Mr. Oborn will email them. Dr. Larsen second the motion. The Board unianimously approved the motion.

Dr. David Sundwall, Committee Chair, will formally present the written report to the Health and Human Services Interim Committee on November 17, 2010.

2. Scheduling of future meetings:

The Committee determined that the next meeting will be tentatively scheduled for February 10, 2011 at 3:00 P.M.

ADJOURN:

Adjourn: 4:52 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

February 10, 2011
Date Approved

(ss) David N. Sundwall, MD
Chairperson, Controlled Substances Advisory
Committee

February 10, 2011
Date Approved

(ss) Richard J. Oborn
Bureau Manager, Division of Occupational &
Professional Licensing