



State of Utah

Controlled Substances Advisory Committee

DAVID SUNDWALL, MD
Chair

September 25, 2013

Health and Human Services Interim Committee
Office of Legislative Research and General Counsel
W210 State Capitol Complex
Salt Lake City, Utah 84114

SUBJECT: Controlled Substances Advisory Committee--2014 Legislative Recommendations

Dear Members of the Health and Human Services Interim Committee:

The Controlled Substances Advisory Committee (CSAC) is pleased to provide for you, as required by law, an update on recommendations for your consideration for action during this 2014 Legislative session. Our committee is composed of individuals with a broad range of expertise and/or experience in public health, clinical care, and academia. The CSAC has been meeting quarterly to address issues related to use of “recreational drugs,” i.e. substances not currently regulated by the Controlled Substances Act (CSA), but which are considered potentially dangerous to health and wellbeing, and legend prescription drugs that might merit being added to a designated schedule in the CSA.

We are pleased to report that the use of recreational drugs, including spice, bath salts, and analogues seems to have slightly diminished in Utah, based on the number of cases that the state crime lab is seeing. However, this is not apparent to our law enforcement agencies and use of these substances continues to be a serious and wide-spread problem here and throughout the nation. Notwithstanding our collective efforts to control the use of these substances through regulation and law enforcement, new substances continue to be developed, marketed, and sold to a significant number of ready and willing customers. Therefore, after careful review of such activity in our state, we recommend additional substances be regulated by amending the CSA.

The Controlled Substances Advisory Committee respectfully recommends the following for consideration during the 2014 Legislative session:

1. Add the following spice and emerging drug analogues to “listed controlled substances” identified in Utah Code 58-37-4.2:
 - a. **MAM-2201**; (1-(5-fluoropentyl)-1H-indol-3-yl)(4-ethyl-1-naphthalenyl)-methanone
 - b. **PB-22**; 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester
 - c. **5-fluoro-PB-22**; 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester
 - d. **AB-PINACA**; N-[1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide
 - e. **AB-FUBINACA**; N-[1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide
 - f. **25H-NBOMe**; 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine

2. Tramadol became a Schedule V controlled substance last year, having previously been reported as the fifth highest cause of drug overdose deaths in the state of Utah. The committee felt scheduling Tramadol would be an excellent strategy to begin data collection on the extent of the use and abuse of this prescription medication. These data and the scheduling of Tramadol as a controlled substance were to be reevaluated one year after the effective date of the legislation, May 14, 2014; however, anecdotal reports indicate provider prescribing practices and access to appropriate use have not been adversely affected by the scheduling of Tramadol.
3. We are aware of interest on the part of some legislators in issues related to the medical use of marijuana. In the event there is consideration of legislation to address such issues, the CSAC stands prepared to advise the Legislature on such matters, providing information based on the latest scientific studies as to the potential benefits and health problems, legal issues, and the perspective of the law enforcement community.

In addition, an important community participant in our Committee, Jennifer McNair, of the Utah Bureau of Forensic Services, has been invited by the National Alliance for Model State Drug Laws to participate in the drafting of model synthetic substances/controlled substance analogue law. The Alliance serves as a resource for governors, state legislators, and others striving to develop comprehensive and effective state drug and alcohol laws, policies, and regulations. This is accomplished through drafting model drug and alcohol laws for national dissemination and use.

The Committee thanks you for your attention to these important issues and looks forward to continuing to serve as a consultative and advisory body to the Legislature.

Respectfully submitted,

The Controlled Substances Advisory Committee

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