

Senate Substitute for HOUSE BILL No. 2262

By Committee on Public Health and Welfare

3-30

Proposed Amendments to
Senate Sub for HB No. 2262
For Public Health & Welfare
January 18, 2022
Prepared by: Jenna Moyer
Office of Revisor of Statutes

1 AN ACT concerning ~~the uniform~~ controlled substances ~~act~~; relating to
2 substances included in schedules I, II, IV and V; amending K.S.A. 65-
3 4107, 65-4111 and 65-4113 and K.S.A. 2020 Supp. 65-4105 and
4 repealing the existing sections.

of the uniform controlled substances act;
controlled substances definition in Kansas
criminal code

21-5701, 65-4101,

5
6 Be it enacted by the Legislature of the State of Kansas:

7 Section 1. K.S.A. 2020 Supp. 65-4105 is hereby amended to read as
8 follows: 65-4105. (a) The controlled substances listed in this section are
9 included in schedule I and the number set forth opposite each drug or
10 substance is the DEA controlled substances code that has been assigned to
11 it.

Add Section 1 & 2 (attached)

And by renumbering sections accordingly

12 (b) Any of the following opiates, including their isomers, esters,
13 ethers, salts, and salts of isomers, esters and ethers, unless specifically
14 excepted, whenever the existence of these isomers, esters, ethers and salts
15 is possible within the specific chemical designation:

- 16 (1) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
17 phenylacetamide).....9821
18 (2) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
19 piperidinyl]-N-phenylacetamide).....9815
20 (3) Acetylmethadol.....9601
21 (4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide;
22 acryloylfentanyl).....9811
23 (5) AH-7921 (3,4-dichloro-N-[(1-
24 dimethylamino)cyclohexylmethyl]benzamide).....9551
25 (6) Allylprodine.....9602
26 (7) Alphacetylmethadol.....9603
27 (except levo-alphacetylmethadol also known as levo-alpha-
28 acetylmethadol, levomethadyl acetate or LAAM)
29 (8) Alphameprodine.....9604
30 (9) Alphamethadol.....9605
31 (10) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-
32 piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
33 propanilido) piperidine).....9814
34 (11) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
35 piperidinyl]-N-phenylpropanamide).....9832
36 (12) Benzethidine.....9606

1	(13) Betacetylmethadol.....	9607
2	(14) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-	
3	N-phenylpropanamide).....	9830
4	(15) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-	
5	phenethyl)	
6	-3-methyl-4-piperidinyl]-N-phenylpropanamide).....	9831
7	(16) Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-	
8	yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....	9836
9	(17) Betameprodine.....	9608
10	(18) Betamethadol.....	9609
11	(19) Betaprodine.....	9611
12	(20) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-	
13	phenylbutyramide).....	9822
14	(21) Clonitazene.....	9612
15	(22) <i>Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-</i>	
16	<i>phenylbut-2-enamide)</i>	9844
17	(23) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-	
18	phenylcyclopentanecarboxamide).....	9847
19	(23) (24) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-	
20	phenylcyclopropanecarboxamide).....	9845
21	(24) (25) Dextromoramide.....	9613
22	(25) (26) Diampromide.....	9615
23	(26) (27) Diethylthiambutene.....	9616
24	(27) (28) Difenoxy.....	9168
25	(28) (29) Dimenoxadol.....	9617
26	(29) (30) Dimepheptanol.....	9618
27	(30) (31) Dimethylthiambutene.....	9619
28	(31) (32) Dioxaphetyl butyrate.....	9621
29	(32) (33) Dipipanone.....	9622
30	(33) (34) Ethylmethylthiambutene.....	9623
31	(34) (35) Etonitazene.....	9624
32	(35) (36) Etoxidine.....	9625
33	(36) (37) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-	
34	2-carboxamide).....	9834
35	(37) (38) Furethidine.....	9626
36	(38) (39) Hydroxypethidine.....	9627
37	(39) (40) <i>Isotonitazene (N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1</i>	
38	<i>H-benzimidazol-1-yl)ethan-1-amine; N,N-diethyl-2-[[4-(1-</i>	
39	<i>methylethoxy)phenyl]methyl]-5-nitro-1 H-benzimidazole-1-</i>	
40	<i>ethanamine)</i>	9614
41	(41) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-	
42	phenylisobutyramide).....	9827
43	(40) (42) Ketobemidone.....	9628

1	(41) (43) Levomoramide.....	9629
2	(42) (44) Levophenacymorphan.....	9631
3	(43) (45) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-	
4	yl)-N-phenylacetamide).....	9825
5	(44) (46) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-	
6	N-	
7	phenylpropanamide).....	9813
8	(45) (47) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-	
9	piperidinyl]-N-phenylpropanamide).....	9833
10	(46) (48) Morpheridine.....	9632
11	(47) (49) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-	
12	(1-phenethylpiperidin-4-yl)acetamide).....	9838
13	(48) (50) O-desmethyltramadol	
14	Some trade or other names: 2-((dimethylamino)methyl-1-(3-	
15	hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-	
16	hydroxycyclohexyl)phenol	
17	(49) (51) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661
18	(50) (52) MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine).....	9560
19	(51) (53) Noracymethadol.....	9633
20	(52) (54) Norlevorphanol.....	9634
21	(53) (55) Normethadone.....	9635
22	(54) (56) Norpipanone.....	9636
23	(55) (57) Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-	
24	phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).....	9816
25	(56) (58) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-	
26	phenethylpiperidin-4-yl)isobutyramide).....	9826
27	(57) (59) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-	
28	phenethylpiperidin-4-yl)butyramide).....	9823
29	(58) (60) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-	
30	piperidinyl]propanamide).....	9812
31	(59) (61) Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-	
32	phenethylpiperidin-4-yl)isobutyramide,	
33	4-fluoroisobutyryl fentanyl).....	9824
34	(60) (62) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-	
35	phenethylpiperidin-4-yl)butyramide).....	9837
36	(61) (63) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)....	9663
37	(62) (64) Phenadoxone.....	9637
38	(63) (65) Phenampromide.....	9638
39	(64) (66) Phenomorphan.....	9647
40	(65) (67) Phenoperidine.....	9641
41	(66) (68) Piritramide.....	9642
42	(67) (69) Proheptazine.....	9643
43	(68) (70) Properidine.....	9644

1 ~~(69)~~(71) Propiram.....9649

2 ~~(70)~~(72) Racemoramide.....9645

3 ~~(71)~~(73) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-

4 phenyltetrahydrofuran-2-carboxamide).....9843

5 ~~(72)~~(74) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-

6 propanamide).....9835

7 ~~(73)~~(75) Tilidine.....9750

8 ~~(74)~~(76) Trimeperidine.....9646

9 ~~(75)~~(77) U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-

10 methylbenzamide).....9547

11 ~~(76)~~(78) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-

12 phenylpentanamide).....9840

13 (c) Any of the following opium derivatives, their salts, isomers and

14 salts of isomers, unless specifically excepted, whenever the existence of

15 these salts, isomers and salts of isomers is possible within the specific

16 chemical designation:

17 (1) Acetorphine.....9319

18 (2) Acetyldihydrocodeine.....9051

19 (3) Benzylmorphine.....9052

20 (4) *Brorphine*.....9098

21 (5) Codeine methylbromide.....9070

22 ~~(5)~~(6) Codeine-N-Oxide.....9053

23 ~~(6)~~(7) Cyprenorphine.....9054

24 ~~(7)~~(8) Desomorphine.....9055

25 ~~(8)~~(9) Dihydromorphine.....9145

26 ~~(9)~~(10) Drotebanol.....9335

27 ~~(10)~~(11) Etorphine (except hydrochloride salt).....9056

28 ~~(11)~~(12) Heroin.....9200

29 ~~(12)~~(13) Hydromorphanol.....9301

30 ~~(13)~~(14) Methyldesorphine.....9302

31 ~~(14)~~(15) Methyldihydromorphine.....9304

32 ~~(15)~~(16) Morphine methylbromide.....9305

33 ~~(16)~~(17) Morphine methylsulfonate.....9306

34 ~~(17)~~(18) Morphine-N-Oxide.....9307

35 ~~(18)~~(19) Myorphine.....9308

36 ~~(19)~~(20) Nicocodeine.....9309

37 ~~(20)~~(21) Nicomorphine.....9312

38 ~~(21)~~(22) Normorphine.....9313

39 ~~(22)~~(23) Pholcodine.....9314

40 ~~(23)~~(24) Thebacon.....9315

41 (d) Any material, compound, mixture or preparation that contains any

42 quantity of the following hallucinogenic substances, their salts, isomers

43 and salts of isomers, unless specifically excepted, whenever the existence

- 1 of these salts, isomers and salts of isomers is possible within the specific
 2 chemical designation:
- 3 (1) Alpha-ethyltryptamine 7249 Some trade or other names:
 4 etryptamine; Monase; α -ethyl-1H-indole-3-ethanamine; 3-(2-
 5 aminobutyl) indole; α -ET; and AET.
 - 6 (2) 4-bromo-2,5-dimethoxy-amphetamine.....7391
 7 Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-
 8 methylphenethylamine; 4-bromo-2,5-DMA.
 - 9 (3) 2,5-dimethoxyamphetamine.....7396
 10 Some trade or other names: 2,5-dimethoxy-alpha-methyl-
 11 phenethylamine; 2,5-DMA.
 - 12 (4) 4-methoxyamphetamine.....7411
 13 Some trade or other names: 4-methoxy-alpha-methylphene-
 14 thylamine; paramethoxyamphetamine; PMA.
 - 15 (5) 5-methoxy-3,4-methylenedioxy-amphetamine.....7401
 - 16 (6) 4-methyl-2,5-dimethoxy-amphetamine.....7395
 17 Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-
 18 methylphenethylamine; "DOM"; and "STP".
 - 19 (7) 3,4-methylenedioxy amphetamine.....7400
 - 20 (8) 3,4-methylenedioxymethamphetamine (MDMA).....7405
 - 21 (9) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-
 22 alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA,
 23 MDE, and MDEA).....7404
 - 24 (10) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-
 25 hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine, and
 26 N-hydroxy MDA).....7402
 - 27 (11) 3,4,5-trimethoxy amphetamine.....7390
 - 28 (12) Bufotenine.....7433
 29 Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-
 30 hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-
 31 dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.
 - 32 (13) Diethyltryptamine.....7434
 33 Some trade or other names: N,N-Diethyltryptamine; DET.
 - 34 (14) Dimethyltryptamine.....7435
 35 Some trade or other names: DMT.
 - 36 (15) Ibogaine.....7260
 37 Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-
 38 octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-
 39 b]indole; Tabernanthe iboga
 - 40 (16) Lysergic acid diethylamide.....7315
 - 41 (17) Marijuana.....7360
 - 42 (18) Mescaline.....7381
 - 43 (19) Parahexyl.....7374

1 Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-
2 6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.
3 (20) Peyote.....7415
4 Meaning all parts of the plant presently classified botanically as
5 Lophophora williamsii Lemaire, whether growing or not, the seeds
6 thereof, any extract from any part of such plant, and every
7 compound, manufacture, salts, derivative, mixture or preparation of
8 such plant, its seeds or extracts.
9 (21) N-ethyl-3-piperidyl benzilate.....7482
10 (22) N-methyl-3-piperidyl benzilate.....7484
11 (23) Psilocybin.....7437
12 (24) Psilocyn.....7438
13 Some trade or other names: Psilocin.
14 (25) Ethylamine analog of phencyclidine.....7455
15 Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-
16 phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
17 cyclohexamine; PCE.
18 (26) Pyrrolidine analog of phencyclidine.....7458
19 Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine;
20 PCPy; PHP.
21 (27) Thiophene analog of phencyclidine.....7470
22 Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine;
23 2-thienyl analog of phencyclidine; TPCP; TCP.
24 (28) 1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....7473
25 Some other names: TCPy.
26 (29) 2,5-dimethoxy-4-ethylamphetamine.....7399
27 Some trade or other names: DOET.
28 (30) Salvia divinorum or salvinorum A; all parts of the plant presently
29 classified botanically as salvia divinorum, whether growing or not,
30 the seeds thereof, any extract from any part of such plant, and every
31 compound, manufacture, salts, derivative, mixture or preparation of
32 such plant, its seeds or extracts.
33 (31) Datura stramonium, commonly known as gypsum weed or jimson
34 weed; all parts of the plant presently classified botanically as datura
35 stramonium, whether growing or not, the seeds thereof, any extract
36 from any part of such plant, and every compound, manufacture, salts,
37 derivative, mixture or preparation of such plant, its seeds or extracts.
38 (32) N-benzylpiperazine.....7493
39 Some trade or other names: BZP.
40 (33) 1-(3-[trifluoromethylphenyl])piperazine
41 Some trade or other names: TFMPP.
42 (34) 4-Bromo-2,5-dimethoxyphenethylamine.....7392
43 (35) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical

1	isomers, salts and salts of optical isomers.....	7348
2	(36) Alpha-methyltryptamine (other name: AMT).....	7432
3	(37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers,	
4	salts and salts of isomers.....	7439
5	(38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....	7509
6	(39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....	7508
7	(40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....	7519
8	(41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....	7518
9	(42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).....	7385
10	(43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)	7532
11	(44) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....	7517
12	(45) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....	7521
13	(46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).....	7524
14	(47) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....	7431
15	Some trade or other names: 5-methoxy-3-[2-(dimethylamino)	
16	ethyl]indole.	
17	(48) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-	
18	methoxybenzyl)ethanamine.....	7538
19	Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I;	
20	Cimbi-5.	
21	(49) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-	
22	methoxybenzyl)ethanamine.....	7537
23	Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C;	
24	Cimbi-82.	
25	(50) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-	
26	methoxybenzyl)ethanamine.....	7536
27	Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B;	
28	Cimbi-36.	
29	(51) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine	
30	Some trade or other names: 25H-NBOMe.	
31	(52) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxybenzyl)ethanamine	
32	Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.	
33	(53) 2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)ethanamine	
34	Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.	
35	(54) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-	
36	b]pyridine-3-carboxamide (5F-CUMYL-P7AICA).....	7085
37	(e) Any material, compound, mixture or preparation that contains any	
38	quantity of the following substances having a depressant effect on the	
39	central nervous system, including its salts, isomers, and salts of isomers	
40	whenever the existence of such salts, isomers, and salts of isomers is	
41	possible within the specific chemical designation:	
42	(1) Etizolam	
43	Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-	

1 6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)

2 (2) Mecloqualone.....2572

3 (3) Methaqualone.....2565

4 (4) Gamma hydroxybutyric acid

5 (f) Unless specifically excepted or unless listed in another schedule,

6 any material, compound, mixture or preparation that contains any quantity

7 of the following substances having a stimulant effect on the central

8 nervous system, including its salts, isomers and salts of isomers:

9 (1) Aminorex.....1585

10 Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or

11 4,5-dihydro-5-phenyl-2-oxazolamine

12 (2) Fenethylamine.....1503

13 (3) N-ethylamphetamine.....1475

14 (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-

15 oxazolamine).....1590

16 (5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-

17 benzeneethanamine; N,N-alpha-trimethylphenethylamine).....1480

18 (6) Cathinone (some other names: 2-amino-1-phenol-1-propanone,

19 alpha-amino propiophenone, 2-amino propiophenone and

20 norphedrone).....1235

21 (7) Substituted cathinones

22 Any compound, except bupropion or compounds listed under a

23 different schedule, structurally derived from 2-aminopropan-1-one

24 by substitution at the 1-position with either phenyl, naphthyl, or

25 thiophene ring systems, whether or not the compound is further

26 modified in any of the following ways:

27 (A) By substitution in the ring system to any extent with alkyl,

28 alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide

29 substituents, whether or not further substituted in the ring

30 system by one or more other univalent substituents;

31 (B) by substitution at the 3-position with an acyclic alkyl

32 substituent;

33 (C) by substitution at the 2-amino nitrogen atom with alkyl,

34 dialkyl, benzyl, or methoxybenzyl groups; or

35 (D) by inclusion of the 2-amino nitrogen atom in a cyclic

36 structure.

37 (g) Any material, compound, mixture or preparation that contains any

38 quantity of the following substances:

39 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its

40 optical isomers, salts and salts of isomers

41 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide

42 (thienylfentanyl), its optical isomers, salts and salts of isomers

43 (h) Any of the following cannabinoids, their salts, isomers and salts

1 of isomers, unless specifically excepted, whenever the existence of these
2 salts, isomers and salts of isomers is possible within the specific chemical
3 designation:

4 (1) Tetrahydrocannabinols.....7370

5 Meaning tetrahydrocannabinols naturally contained in a plant of the
6 genus Cannabis (cannabis plant), as well as synthetic equivalents of
7 the substances contained in the plant, or in the resinous extractives of
8 Cannabis, sp. and/or synthetic substances, derivatives, and their
9 isomers with similar chemical structure and pharmacological activity
10 such as the following: Delta 1 cis or trans tetrahydrocannabinol, and
11 their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and
12 their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and
13 its optical isomers (Since nomenclature of these substances is not
14 internationally standardized, compounds of these structures,
15 regardless of numerical designation of atomic positions covered.),
16 except tetrahydrocannabinols in any of the following:

- 17 (A) Industrial hemp, as defined in K.S.A. 2020 Supp. 2-3901, and
18 amendments thereto;
- 19 (B) solid waste, as defined in K.S.A. 65-3402, and amendments
20 thereto, and hazardous waste, as defined in K.S.A. 65-3430,
21 and amendments thereto, if such waste is the result of the
22 cultivation, production or processing of industrial hemp, as
23 defined in K.S.A. 2020 Supp. 2-3901, and amendments
24 thereto, and such waste contains a delta-9
25 tetrahydrocannabinol concentration of not more than 0.3%; or
- 26 (C) hemp products, as defined in K.S.A. 2020 Supp. 2-3901, and
27 amendments thereto, unless otherwise deemed unlawful
28 pursuant to K.S.A. 2020 Supp. 2-3908, and amendments
29 thereto.

30 (2) ~~Naphthylindoles~~

31 ~~Any compound containing a 3-(1-naphthyl)indole structure with~~
32 ~~substitution at the nitrogen atom of the indole ring by an alkyl,~~
33 ~~haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,~~
34 ~~benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl~~
35 ~~group, whether or not further substituted in the indole ring to any~~
36 ~~extent and whether or not substituted in the benzyl or naphthyl ring~~
37 ~~to any extent.~~

38 (3) Naphthylmethylindoles

39 Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane
40 structure with substitution at the nitrogen atom of the indole ring
41 group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
42 cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
43 morpholinyl)ethyl group whether or not further substituted in on the

- 1 indole ~~ring~~ *group* to any extent and whether or not substituted ~~in~~ *on*
2 the benzyl or naphthyl ring to any extent.
- 3 (4)(3) Naphthoylpyrroles
4 Any compound containing a 3-(1-naphthoyl)pyrrole structure with
5 substitution at the nitrogen atom of the pyrrole ~~ring~~ *group* by an
6 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
7 cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
8 morpholinyl)ethyl group whether or not further substituted ~~in~~ *on* the
9 pyrrole ~~ring~~ *group* to any extent, whether or not substituted ~~in~~ *on* the
10 benzyl or naphthyl ring to any extent.
- 11 (5)(4) Naphthylmethylenes
12 Any compound containing a ~~naphthylidene~~ *indene*
13 *naphthylmethylenes* structure with substitution at the 3-position of
14 the indene ~~ring~~ *group* by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
15 cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-
16 piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
17 further substituted ~~in~~ *on* the indene ~~ring~~ *group* to any extent, whether
18 or not substituted ~~in~~ *on* the benzyl or naphthyl ring to any extent.
- 19 (6) Phenylacetylindoles
20 Any compound containing a 3-phenylacetylindole structure with
21 substitution at the nitrogen atom of the indole ring by an alkyl,
22 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
23 benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl
24 group whether or not further substituted in the indole ring to any
25 extent, whether or not substituted in the benzyl or phenyl ring to any
26 extent.
- 27 (7)(5) Cyclohexylphenols
28 Any compound containing a 2-(3-hydroxycyclohexyl)phenol
29 structure with substitution at the 5-position of the phenolic ring by an
30 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
31 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
32 morpholinyl)ethyl group whether or not substituted ~~in~~ *on* the
33 cyclohexyl ring to any extent.
- 34 (8) Benzoylindoles
35 Any compound containing a 3-(benzoyl)indole structure with
36 substitution at the nitrogen atom of the indole ring by an alkyl,
37 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
38 benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl
39 group whether or not further substituted in the indole ring to any
40 extent and whether or not substituted in the benzyl or phenyl ring to
41 any extent.
- 42 (9)(6) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-
43 de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.

- 1 Some trade or other names: WIN 55,212-2.
- 2 ~~(10)~~(7) 9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
3 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
- 4 Some trade or other names: HU-210, HU-211.
- 5 ~~(11)~~ Tetramethylecyclopropanoylindoles
- 6 Any compound containing a 3-tetramethylecyclopropanoylindole-
7 structure with substitution at the nitrogen atom of the indole ring by
8 an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
9 cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
10 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-
11 3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or
12 not further substituted in the indole ring to any extent and whether or
13 not substituted in the benzyl or tetramethylecyclopropyl rings to any
14 extent.
- 15 ~~(12)~~(8) Indole-3-carboxylate esters
- 16 Any compound containing a 1H-indole-3-carboxylate ester structure
17 with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or
18 adamantyl group and substitution at the 1 position of the indole ring
19 by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
20 cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinylmethyl~~ 1-(N-methyl-
21 2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
22 further substituted on the indole ring to any extent and whether or not
23 substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl or
24 benzyl groups to any extent.
- 25 ~~(13)~~(9) Indazole-3-carboxamides
- 26 Any compound containing a 1H-indazole-3-carboxamide structure
27 with substitution at the nitrogen of the carboxamide by a naphthyl,
28 quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-
29 yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1
30 position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl,
31 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-~~
32 ~~piperidinylmethyl~~ 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-
33 morpholinyl)ethyl group, whether or not further substituted on the
34 indazole ring to any extent and whether or not substituted on the
35 naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-
36 2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.
- 37 ~~(14)~~(10) Indole-3-carboxamides
- 38 Any compound containing a 1H-indole-3-carboxamide structure with
39 substitution at the nitrogen of the carboxamide by a naphthyl,
40 quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-
41 yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1
42 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
43 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-~~

1 ~~piperidinylmethyl~~ *1-(N-methyl-2-piperidinyl)methyl*, or 2-(4-
 2 morpholinyl)ethyl group, whether or not further substituted on the
 3 indole ring to any extent and whether or not further substituted on the
 4 naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-
 5 2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

6 ~~(15)(11)~~ (1H-indazol-3-yl)methanones
 7 Any compound containing a (1H-indazol-3-yl)methanone structure with
 8 the carbonyl carbon bearing a naphthyl group and substitution at the 1
 9 position of the indazole ring by an alkyl, haloalkyl, alkenyl,
 10 cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinylmethyl~~
 11 *1-(N-methyl-2-piperidinyl)methyl*, or 2-(4-morpholinyl)ethyl group,
 12 whether or not further substituted on the indazole ring to any extent and
 13 whether or not substituted on the naphthyl or benzyl groups to any extent.

14 (12) (1H-indol-3-yl)methanones
 15 Any compound containing a (1H-indol-3-yl)methanone structure with the
 16 carbonyl carbon bearing a naphthyl, quinolinyl, isoquinolinyl, adamantyl,
 17 phenyl, benzyl or tetramethylcyclopropyl group and substitution at the 1
 18 position of the indole ring by an alkyl,haloalkyl, cyanoalkyl, alkenyl,
 19 cycloalkylmethyl, cycloalkylethyl, benzyl, *1-(N-methyl-2-*
 20 *piperidinyl)methyl*, *2-(4-morpholinyl)ethyl*, *1-(N-methyl-2-*
 21 *pyrrolidinyl)methyl*, *1-(N-methyl-3-morpholinyl)methyl*, or
 22 tetrahydropyranylmethyl group, whether or not further substituted on the
 23 indole ring to any extent and whether or not substituted on the naphthyl,
 24 quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or
 25 tetramethylcyclopropyl groups to any extent.

26 Sec. 2. K.S.A. 65-4107 is hereby amended to read as follows: 65-
 27 4107. (a) The controlled substances listed in this section are included in
 28 schedule II and the number set forth opposite each drug or substance is the
 29 DEA controlled substances code which has been assigned to it.

30 (b) Any of the following substances, except those narcotic drugs
 31 listed in other schedules, whether produced directly or indirectly by
 32 extraction from substances of vegetable origin or independently by means
 33 of chemical synthesis or by combination of extraction and chemical
 34 synthesis:

35 (1) Opium and opiate and any salt, compound, derivative or
 36 preparation of opium or opiate, excluding apomorphine, dextrorphan,
 37 nalbuphine, nalmefene, naloxone, *6β-naltrexol* and naltrexone and their
 38 respective salts, but including the following:

- 39 (A) Raw opium.....9600
- 40 (B) Opium extracts.....9610
- 41 (C) Opium fluid.....9620
- 42 (D) Powdered opium.....9639
- 43 (E) Granulated opium.....9640

1 (F) Tincture of opium.....9630
 2 (G) Codeine.....9050
 3 (H) Ethylmorphine.....9190
 4 (I) Etorphine hydrochloride.....9059
 5 (J) Hydrocodone.....9193
 6 (K) Hydromorphone.....9150
 7 (L) Metopon.....9260
 8 (M) Morphine.....9300
 9 (N) *Noroxymorphone*.....9668
 10 (O) Oxycodone.....9143
 11 ~~(P)~~(P).....Oxymorphone
 129652
 13 ~~(Q)~~(Q).....Thebaine
 149333
 15 ~~(R)~~(R).....Dihydroetorphine
 169334
 17 ~~(S)~~(S).....Oripavine
 189330
 19 (2) Any salt, compound, isomer, derivative or preparation thereof
 20 which is chemically equivalent or identical with any of the substances
 21 referred to in paragraph (1), but not including the isoquinoline alkaloids of
 22 opium.
 23 (3) Opium poppy and poppy straw.
 24 (4) Coca leaves (9040) and any salt, compound, derivative or
 25 preparation of coca leaves, but not including decocainized coca leaves or
 26 extractions which do not contain cocaine (9041) or ecgonine (9180).
 27 (5) Cocaine, its salts, isomers and salts of isomers (9041).
 28 (6) Ecgonine, its salts, isomers and salts of isomers (9180).
 29 (7) Concentrate of poppy straw (the crude extract of poppy straw in
 30 either liquid, solid or powder form which contains the phenanthrene
 31 alkaloids of the opium poppy) (9670).
 32 (c) Any of the following opiates, including their isomers, esters,
 33 ethers, salts and salts of isomers, esters and ethers, whenever the existence
 34 of these isomers, esters, ethers and salts is possible within the specific
 35 chemical designation dextroprphan and levopropoxyphene excepted:
 36 (1) Alfentanil.....9737
 37 (2) Alphaprodine.....9010
 38 (3) Anileridine.....9020
 39 (4) Bezitramide.....9800
 40 (5) Bulk dextropropoxyphene (nondosage forms).....9273
 41 (6) Carfentanil.....9743
 42 (7) Dihydrocodeine.....9120
 43 (8) Diphenoxylate.....9170

1	(9) Fentanyl.....	9801
2	(10) Isomethadone.....	9226
3	(11) Levomethorphan.....	9210
4	(12) Levorphanol.....	9220
5	(13) Metazocine.....	9240
6	(14) Methadone.....	9250
7	(15) Methadone-intermediate,4-cyano-2-dimethyl amino-4,4-diphenyl	
8	butane.....	9254
9	(16) Moramide-intermediate, 2-methyl-3-morpholino-1,	
10	1-diphenylpropane-carboxylic acid.....	9802
11	(17) <i>Oliceridine (N-[3-methoxythiophen-2-yl)methyl]</i>	
12	<i>({2-[(9 R)-9-(pyridin-2-yl)-6-oxaspiro [4.5]decan-9-yl]ethyl})amine</i>	
13	<i>fumarate</i>).....	9245
14	(18) Pethidine (meperidine).....	9230
15	(18) (19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-	
16	phenylpiperidine.....	9232
17	(19) (20) Pethidine-intermediate-B, ethyl-4-phenyl-	
18	piperidine-4-carboxylate.....	9233
19	(20) (21) Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-	
20	carboxylic acid.....	9234
21	(21) (22) Phenazocine.....	9715
22	(22) (23) Piminodine.....	9730
23	(23) (24) Racemethorphan.....	9732
24	(24) (25) Racemorphan.....	9733
25	(25) (26) Sufentanil.....	9740
26	(26) (27) Levo-alpha-acetyl methadol.....	9648
27	Some other names: levo-alpha-acetyl methadol, levomethadyl acetate	
28	or LAAM.	
29	(27) (28) Remifentanil.....	9739
30	(28) (29) Tapentadol.....	9780
31	(29) (30) Thiafentanil.....	9729
32	(d) Any material, compound, mixture, or preparation which contains	
33	any quantity of the following substances having a potential for abuse	
34	associated with a stimulant effect on the central nervous system:	
35	(1) Amphetamine, its salts, optical isomers and salts of its optical	
36	isomers.....	1100
37	(2) Phenmetrazine and its salts.....	1631
38	(3) Methamphetamine, including its salts, isomers and salts of	
39	isomers.....	1105
40	(4) Methylphenidate.....	1724
41	(5) Lisdexamphetamine, its salts, isomers, and salts of its isomers.....	1205
42	(e) Unless specifically excepted or unless listed in another schedule,	
43	any material, compound, mixture or preparation which contains any	

- 1 quantity of the following substances having a depressant effect on the
 2 central nervous system, including its salts, isomers and salts of isomers
 3 whenever the existence of such salts, isomers and salts of isomers is
 4 possible within the specific chemical designation:
- 5 (1) Amobarbital.....2125
 - 6 (2) Glutethimide.....2550
 - 7 (3) Secobarbital.....2315
 - 8 (4) Pentobarbital.....2270
 - 9 (5) Phencyclidine.....7471
- 10 (f) Any material, compound, mixture, or preparation which contains
 11 any quantity of the following substances:
- 12 (1) Immediate precursor to amphetamine and methamphetamine:
 - 13 (A) Phenylacetone.....8501
 - 14 Some trade or other names: phenyl-2-propanone; P2P; benzyl
 - 15 methyl ketone; methyl benzyl ketone.
 - 16 (2) Immediate precursors to phencyclidine (PCP):
 - 17 (A) 1-phenylcyclohexylamine.....7460
 - 18 (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
 - 19 (3) Immediate precursor to fentanyl:
 - 20 (A) 4-anilino-N-phenethylpiperidine
 - 21 (ANPP).....8333
 - 22 (B) *N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl)*.....8366
- 23 (g) Any material, compound, mixture or preparation which contains
 24 any quantity of the following hallucinogenic substance, its salts, isomers
 25 and salts of isomers, unless specifically excepted, whenever the existence
 26 of these salts, isomers and salts of isomers is possible within the specific
 27 chemical designation:
- 28 (1) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral
 29 solution in a drug product approved for marketing by the United
 30 States food and drug administration.....7365
 - 31 (2) Nabilone.....7379
 - 32 [Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-
 - 33 6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
 - 34 dibenzo[b,d]pyran-9-one]
- 35 (h) Any material, compound, mixture or preparation containing any
 36 of the following narcotic drugs or any salts calculated as the free
 37 anhydrous base or alkaloid, in limited quantities as set forth below:
- 38 (1) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or
 39 any of its salts per 100 milliliters or not more than 15 milligrams per
 40 dosage unit with a fourfold or greater quantity of an isoquinoline
 41 alkaloid of opium.....9805
 - 42 (2) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or
 43 any of its salts per 100 milliliters or not more than 15 milligrams per

1 dosage unit with one or more active, nonnarcotic ingredients in
 2 recognized therapeutic amounts.....9806
 3 Sec. 3. K.S.A. 65-4111 is hereby amended to read as follows: 65-
 4 4111. (a) The controlled substances listed in this section are included in
 5 schedule IV and the number set forth opposite each drug or substance is
 6 the DEA controlled substances code that has been assigned to it.
 7 (b) Any material, compound, mixture or preparation that contains any
 8 quantity of the following substances including its salts, isomers and salts
 9 of isomers whenever the existence of such salts, isomers and salts of
 10 isomers is possible within the specific chemical designation and having a
 11 potential for abuse associated with a depressant effect on the central
 12 nervous system:
 13 (1) Alprazolam.....2882
 14 (2) Barbital.....2145
 15 (3) *Brexanolone*.....2400
 16 (4) Bromazepam2748
 17 ~~(4)~~(5) Camazepam.....2749
 18 ~~(5)~~(6) Carisoprodol.....8192
 19 ~~(6)~~(7) Chloral betaine.....2460
 20 ~~(7)~~(8) Chloral hydrate.....2465
 21 ~~(8)~~(9) Chlordiazepoxide.....2744
 22 ~~(9)~~(10) Clobazam.....2751
 23 ~~(10)~~(11) Clonazepam.....2737
 24 ~~(11)~~(12) Clorazepate.....2768
 25 ~~(12)~~(13) Clotiazepam.....2752
 26 ~~(13)~~(14) Cloxazolam.....2753
 27 ~~(14)~~(15) Delorazepam.....2754
 28 ~~(15)~~(16) Diazepam.....2765
 29 ~~(16)~~(17) Dichloralphenazone.....2467
 30 ~~(17)~~(18) Estazolam.....2756
 31 ~~(18)~~(19) Ethchlorvynol.....2540
 32 ~~(19)~~(20) Ethinamate.....2545
 33 ~~(20)~~(21) Ethyl loflazepate.....2758
 34 ~~(21)~~(22) Fludiazepam.....2759
 35 ~~(22)~~(23) Flunitrazepam.....2763
 36 ~~(23)~~(24) Flurazepam.....2767
 37 ~~(24)~~(25) Fospropofol.....2138
 38 ~~(25)~~(26) Halazepam.....2762
 39 ~~(26)~~(27) Haloxazolam.....2771
 40 ~~(27)~~(28) Ketazolam.....2772
 41 ~~(28)~~(29) *Lemborexant*.....2245
 42 (30) Loprazolam.....2773
 43 ~~(29)~~(31) Lorazepam.....2885

1	(30) (32) Lormetazepam.....	2774
2	(31) (33) Mebutamate.....	2800
3	(32) (34) Medazepam.....	2836
4	(33) (35) Meprobamate.....	2820
5	(34) (36) Methohexital.....	2264
6	(35) (37) Methylphenobarbital (mephobarbital).....	2250
7	(36) (38) Midazolam.....	2884
8	(37) (39) Nimetazepam.....	2837
9	(38) (40) Nitrazepam.....	2834
10	(39) (41) Nordiazepam.....	2838
11	(40) (42) Oxazepam.....	2835
12	(41) (43) Oxazolam.....	2839
13	(42) (44) Paraldehyde.....	2585
14	(43) (45) Petrichloral.....	2591
15	(44) (46) Phenobarbital.....	2285
16	(45) (47) Pinazepam.....	2883
17	(46) (48) Prazepam.....	2764
18	(47) (49) Quazepam.....	2881
19	(48) (50) <i>Remimazolam</i>	2846
20	(51) Temazepam.....	2925
21	(49) (52) Tetrazepam.....	2886
22	(50) (53) Triazolam.....	2887
23	(51) (54) Zolpidem.....	2783
24	(52) (55) Zaleplon.....	2781
25	(53) (56) Zopiclone.....	2784
26	(54) (57) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its	
27	salts, optical and geometric isomers and salts of these isomers	
28	(including tramadol).....	9752
29	(55) (58) Alfaxalone.....	2731
30	(56) (59) Suvorexant.....	2223
31	(c) Any material, compound, mixture, or preparation that contains	
32	any quantity of fenfluramine (1670), including its salts, isomers (whether	
33	optical, position or geometric) and salts of such isomers, whenever the	
34	existence of such salts, isomers and salts of isomers is possible. The	
35	provisions of this subsection (c) shall expire on the date fenfluramine and	
36	its salts and isomers are removed from schedule IV of the federal	
37	controlled substances act (21 U.S.C. § 812; 21 code of federal regulations	
38	1308.14).	
39	(d) Any material, compound, mixture or preparation that contains any	
40	quantity of lorcaserin (1625), including its salts, isomers and salts of such	
41	isomers, whenever the existence of such salts, isomers and salts of isomers	
42	is possible (21 U.S.C. § 812; 21 code of federal regulations 1308.14).	
43	(e) Unless specifically excepted or unless listed in another schedule,	

1 any material, compound, mixture or preparation that contains any quantity
2 of the following substances having a stimulant effect on the central
3 nervous system, including its salts, isomers (whether optical, position or
4 geometric) and salts of such isomers whenever the existence of such salts,
5 isomers and salts of isomers is possible within the specific chemical
6 designation:

- 7 (1) Cathine ((+)-norpseudoephedrine).....1230
- 8 (2) Diethylpropion.....1610
- 9 (3) Fencamfamin.....1760
- 10 (4) Fenproporex.....1575
- 11 (5) Mazindol.....1605
- 12 (6) Mefenorex.....1580
- 13 (7) Pemoline (including organometallic complexes and chelates thereof)
- 141530
- 15 (8) Phentermine.....1640

16 The provisions of this subsection (e)(8) shall expire on the date
17 phentermine and its salts and isomers are removed from schedule IV of the
18 federal controlled substances act (21 U.S.C. § 812; 21 code of federal
19 regulations 1308.14).

- 20 (9) Pipradrol.....1750
- 21 (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane).....1635
- 22 (11) Sibutramine.....1675
- 23 (12) *Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol,*
- 24 *beta-amino-, carbamate (ester)).....1650*
- 25 (13) Mondafinil.....1680

26 (f) Unless specifically excepted or unless listed in another schedule,
27 any material, compound, mixture or preparation that contains any quantity
28 of the following, including salts thereof:

- 29 (1) Pentazocine.....9709
- 30 (2) Butorphanol (including its optical isomers).....9720
- 31 (3) ~~Cannabidiol, when comprising the sole active ingredient of a drug~~
- 32 ~~product approved by the United States food and drug administration~~
- 33 ~~Some other names for cannabidiol: 2-[(1R,6R)-3-Methyl-6-(1-~~
- 34 ~~methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol~~
- 35 (4) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
- 36 ~~dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-~~
- 37 ~~yl)ethyl]amino]methyl]-2-methoxybenzoic acid)(including its optical~~
- 38 ~~isomers) and its salts, isomers, and salts of isomers.....9725~~

39 (g) Unless specifically excepted or unless listed in another schedule,
40 any material, compound, mixture or preparation containing any of the
41 following narcotic drugs, or their salts calculated as the free anhydrous
42 base or alkaloid, in limited quantities as set forth below:

- 43 (1) Not more than 1 milligram of difenoxin and not less than 25

- 1 micrograms of atropine sulfate per dosage unit.....9167
- 2 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-
- 3 methyl-2-propion-oxybutane).....9278
- 4 (h) Butyl nitrite and its salts, isomers, esters, ethers or their salts.
- 5 (i) The board may except by rule and regulation any compound,
- 6 mixture or preparation containing any depressant substance listed in
- 7 subsection (b) from the application of all or any part of this act if the
- 8 compound, mixture or preparation contains one or more active medicinal
- 9 ingredients not having a depressant effect on the central nervous system,
- 10 and if the admixtures are included therein in combinations, quantity,
- 11 proportion or concentration that vitiate the potential for abuse of the
- 12 substances that have a depressant effect on the central nervous system.
- 13 Sec. 4. K.S.A. 65-4113 is hereby amended to read as follows: 65-
- 14 4113. (a) The controlled substances or drugs, by whatever official name,
- 15 common or usual name, chemical name or brand name designated, listed
- 16 in this section are included in schedule V.
- 17 (b) Any compound, mixture or preparation containing limited
- 18 quantities of any of the following narcotic drugs which also contains one
- 19 or more nonnarcotic active medicinal ingredients in sufficient proportion
- 20 to confer upon the compound, mixture or preparation valuable medicinal
- 21 qualities other than those possessed by the narcotic drug alone:
- 22 (1) Not more than 200 milligrams of codeine or any of its salts per
- 23 100 milliliters or per 100 grams.
- 24 (2) Not more than 100 milligrams of dihydrocodeine or any of its
- 25 salts per 100 milliliters or per 100 grams.
- 26 (3) Not more than 100 milligrams of ethylmorphine or any of its salts
- 27 per 100 milliliters or per 100 grams.
- 28 (4) Not more than 2.5 milligrams of diphenoxylate and not less than
- 29 25 micrograms of atropine sulfate per dosage unit.
- 30 (5) Not more than 100 milligrams of opium per 100 milliliters or per
- 31 100 grams.
- 32 (6) Not more than .5 milligram of difenoxin (9168) and not less than
- 33 25 micrograms of atropine sulfate per dosage unit.
- 34 (c) Unless specifically excepted or unless listed in another schedule,
- 35 any material, compound, mixture or preparation which contains any
- 36 quantity of the following substances having a stimulant effect on the
- 37 central nervous system, including its salts, isomers (whether optical,
- 38 position or geometric) and salts of such isomers whenever the existence of
- 39 such salts, isomers and salts of isomers is possible within the specific
- 40 chemical designation:
- 41 (1) Propylhexedrine (except when part of a compound used for nasal
- 42 decongestion which is authorized to be sold lawfully over the
- 43 counter without a prescription under the federal food, drug and

1 cosmetic act, so long as it is used only for such purpose).....8161

2 (2) Pyrovalerone.....1485

3 (d) Any compound, mixture or preparation containing any detectable

4 quantity of ephedrine, its salts or optical isomers, or salts of optical

5 isomers.

6 (e) Any compound, mixture or preparation containing any detectable

7 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical

8 isomers.

9 (f) Unless specifically exempted or excluded or unless listed in

10 another schedule, any material, compound, mixture, or preparation which

11 contains any quantity of the following substances having a depressant

12 effect on the central nervous system, including its salts:

13 (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]

14 butanamide) (some trade or other names BRV; UCB-34714;

15 Briviact).....2710

16 (2) *Cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl]*

17 *carbamate*.....2720

18 (3) Ezogabine N-[2-amino-4(4-fluorobenzylamino)

19 -phenyl]-carbamic acid ethyl ester.....2779

20 (3)(4) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-

21 propionamide].....2746

22 (4)(5) *Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-*

23 *carbonyl)pyridine-2-*

24 *yl-benzamide*.....2790

25 (6) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].....2782

26 Sec. 5. K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2020 Supp.

27 65-4105 are hereby repealed.

28 Sec. 6. This act shall take effect and be in force from and after its

29 publication in the Kansas register.

Section 1. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto: (a) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(b) (1) "Controlled substance analog" means a substance that is intended for human consumption, and at least one of the following:

(A) The chemical structure of the substance is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) the substance has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, such individual represents or intends the substance to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(3) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

- (1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;
- (2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;
- (3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;
- (4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;
- (5) scales and balances used or intended for use in weighing or measuring controlled substances;
- (6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;
- (7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;
- (8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;
- (9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;
- (10) containers and other objects used or intended for use in storing or concealing controlled substances;
- (11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;
- (12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or

amphetamine into the human body, such as:

- (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
- (B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;
- (C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;
- (D) smoking and carburetion masks;
- (E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
- (F) miniature cocaine spoons and cocaine vials;
- (G) chamber smoking pipes;
- (H) carburetor smoking pipes;
- (I) electric smoking pipes;
- (J) air-driven smoking pipes;
- (K) chillums;
- (L) bongs;
- (M) ice pipes or chillers;
- (N) any smoking pipe manufactured to disguise its intended purpose;
- (O) wired cigarette papers; or
- (P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A.

2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be

and by rules and regulations designates as being the principal compound commonly used or produced primarily for use and that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. "Manufacture" does not include:

(1) The preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(A) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(B) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "Marijuana" means all parts of all varieties of the plant *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. "Marijuana" does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the

seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant that is incapable of germination;

(2) any substance listed in schedules II through V of the uniform controlled substances act;

(3) drug products approved by the United States food and drug administration;

(4) cannabidiol (other trade name: 2-[[3-methyl-6-(1-methylethyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol]; or

~~(4)(5)~~ industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(1) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or 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;

(2) any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine.

(m) "Opiate" means any substance having an addiction-forming or addiction-sustaining

liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 2. K.S.A. 2021 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in

this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

- (1) A practitioner or pursuant to the lawful direction of a practitioner; or
 - (2) the patient or research subject at the direction and in the presence of the practitioner.
- (b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.
- (c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.
- (d) "Board" means the state board of pharmacy.
- (e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.
- (f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.
- (g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and at least one of the following:
- (A) The chemical structure of the substance is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;
 - (B) the substance has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107,

and amendments thereto; or

(C) with respect to a particular individual, such individual represents or intends the substance to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(h) "Counterfeit substance" means a controlled substance that, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

(i) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level

practitioner:

(m) "Dispenser" means a practitioner or pharmacist who dispenses, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(o) "Distributor" means a person who distributes.

(p) "Drug" means: (1) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or animals; (3) substances (other than food) intended to affect the structure or any function of the body of human or animals; and (4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories.

(q) "Immediate precursor" means a substance that the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other

method for secure electronic data transmissions that identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation,

compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

(aa) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant that is incapable of germination;

(2) any substance listed in schedules II through V of the uniform controlled substances act;

(3) drug products approved by the United States food and drug administration;

(4) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

~~(4)(5)~~ industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent

practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or 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;

(2) any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine.

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(gg) "Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States that is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such

person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.