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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO FOOD AND DRUGS -- DRUG ABUSE AND OVERDOSE PREVENTION
ACT

Introduced By: Representatives Ferri, Palumbo, Edwards, Marcello, and Bennett

Date Introduced: February 15, 2012

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28-2.08 of the General Laws in Chapter 21-28 entitled "Uniform
2 Controlled Substances Act" is hereby amended to read as follows:

3 **21-28-2.08. Contents of schedules.** -- Schedule I

4 (a) Schedule I shall consist of the drugs and other substances, by whatever official name,
5 common or usual name, chemical name, or brand name designated, listed in this section.

6 (b) Opiates. - Unless specifically excepted or unless listed in another schedule, any of
7 the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and
8 ethers whenever the existence of the isomers, esters, ethers, and salts is possible within the
9 specific chemical designation:

- 10 (1) Acetylmethadol
11 (2) Allylprodine
12 (3) Alphacetylmethadol
13 (4) Alphameprodine
14 (5) Alphamethadol
15 (6) Benzethidine
16 (7) Betacetylmethadol
17 (8) Betameprodine
18 (9) Betamethadol

- 1 (10) Betaprodine
- 2 (11) Clonitazene
- 3 (12) Dextromoramide
- 4 (13) Difenoxin
- 5 (14) Diampromide
- 6 (15) Diethylthiambutene
- 7 (16) Dimenoxadol
- 8 (17) Dimepheptanol
- 9 (18) Dimethylthiambutene
- 10 (19) Dioxaphetyl butyrate
- 11 (20) Dipipanone
- 12 (21) Ethylmethylthiambutene
- 13 (22) Etonitazene
- 14 (23) Extoxerdine
- 15 (24) Furethidine
- 16 (25) Hydroxypethidine
- 17 (26) Ketobemidone
- 18 (27) Levomoramide
- 19 (28) Levophenacymorphan
- 20 (29) Morpheridine
- 21 (30) Noracymethadol
- 22 (31) Norlevorphanol
- 23 (32) Normethadone
- 24 (33) Norpipanone
- 25 (34) Phenadoxone
- 26 (35) Phenampromide
- 27 (36) Phenomorphan
- 28 (37) Phenoperidine
- 29 (38) Piritramide
- 30 (39) Proheptazine
- 31 (40) Properidine
- 32 (41) Propiram
- 33 (42) Racemoramide
- 34 (43) Trimeperidone

1 (44) Tilidine

2 (45) Alpha-methylfentanyl

3 (46) Beta-hydroxy-3-methylfentanyl other names:

4 N-[1-(2hydroxy-2-phenethyl)-3-methyl-4piperidingyl] Nphenylpropanamide

5 (c) Opium Derivatives. - Unless specifically excepted or unless listed in another
6 schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever
7 the existence of the salts, isomers, and salts of isomers is possible within the specific chemical
8 designation:

9 (1) Acetorphine

10 (2) Acetyldihydrocodeine

11 (3) Benzylmorphine

12 (4) Codeine methylbromide

13 (5) Codeine-N-Oxide

14 (6) Cyprenorphine

15 (7) Desomorphine

16 (8) Dihydromorphine

17 (9) Etorphine (Except hydrochloride salt)

18 (10) Heroin

19 (11) Hydromorphenol

20 (12) Methyl-desorphine

21 (13) Methylhydromorphine

22 (14) Morphine methylbromide

23 (15) Morphine methylsulfonate

24 (16) Morphine-N-Oxide

25 (17) Myrophine

26 (18) Nococodeine

27 (19) Nicomorphine

28 (20) Normorphine

29 (21) Pholcodine

30 (22) Thebacon

31 (23) Drotebanol

32 (d) Hallucinogenic Substances. - Unless specifically excepted or unless listed in another
33 schedule, any material, compound, mixture, or preparation, which contains any quantity of the
34 following hallucinogenic substances, or which contains any of its salts, isomers, and salts of

1 isomers whenever the existence of the salts, isomers, and salts of isomers is possible within the
2 specific chemical designation (for purposes of this subsection only, the term "isomer" includes
3 the optical, position, and geometric isomers):

- 4 (1) 3, 4-methylenedioxy amphetamine
- 5 (2) 5-methoxy-3, 4-methylenedioxy amphetamine
- 6 (3) 3, 4, 5-trimethoxy amphetamine
- 7 (4) Bufotenine
- 8 (5) Diethyltryptamine
- 9 (6) Dimethyltryptamine
- 10 (7) 4-methyl 2, 5-dimethoxyamphetamine
- 11 (8) Ibogaine
- 12 (9) Lysergic acid diethylamide
- 13 (10) Marihuana
- 14 (11) Mescaline
- 15 (12) Peyote. Meaning all parts of the plant presently classified botanically as
16 *Lophophora Williamsii* Lemair whether growing or not; the seeds of the plant; any extract from
17 any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of
18 the plant, its seeds or extracts.
- 19 (13) N-ethyl-3-piperidyl benzilate
- 20 (14) N-methyl-3-piperidyl benzilate
- 21 (15) Psilocybin
- 22 (16) Psilocyn
- 23 (17) Tetrahydrocannabinols. Synthetic equivalents of the substances contained in the
24 plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, derivatives, and
25 their isomers with similar chemical structure and pharmacological activity such as the following:
26 delta 1 cis or trans tetrahydrocannabinol, and their optical isomers. Delta 6 cis or trans
27 tetrahydrocannabinol and their optical isomers. Delta 3, 4 cis or trans tetrahydrocannabinol and
28 its optical isomer. (Since nomenclature of these substances is not internationally standardized,
29 compounds of these structures, regardless of numerical designation of atomic positions covered).
- 30 (18) Thiophene analog of phencyclidine. 1-(1-(2 thienyl) cyclo-hexyl) piperidine: 2-
31 Thienyl analog of phencyclidine: TPCP
- 32 (19) 2,5 dimethoxyamphetamine
- 33 (20) 4-bromo-2,5-dimethoxyamphetamine, 4-bromo-2,5-dimethoxy-alpha-
34 methylphenethylamine: 4-bromo-2,5-DMA

- 1 (21) 4-methoxyamphetamine-4-methoxy-alpha-methylphenethylamine:
2 paramethoxyamphetamine: PMA
- 3 (22) Ethylamine analog of phencyclidine. N-ethyl-1- phenylcyclohexylamine, (1-
4 phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE
- 5 (23) Pyrrolidine analog of phencyclidine. 1-(1-phenylcyclohexyl)- pyrrolidine PCPy, PHP
- 6 (24) Parahexyl; some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-
7 6,6,9-trimethyl-6H-dibenz o (b,d) pyran: Synhexyl.
- 8 (e) Depressants. - Unless specifically excepted or unless listed in another schedule, any
9 material, compound, mixture, or preparation which contains any quantity of the following
10 substances having a depressant effect on the central nervous system, including its salts, isomers,
11 and salts of isomers whenever the existence of the salts, isomers, and salts of isomers is possible
12 within the specific chemical designation:
- 13 (1) Mecloqualone.
- 14 (2) Methaqualone.
- 15 (3) 3-methyl fentanyl (n-(ethyl-1(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide.
- 16 (4) 3,4-methyl-enedioxymethamphetamine (MDMA), its optical, positional and
17 geometric isomers, salts, and salts of isomers.
- 18 (5) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts and
19 salts of isomers.
- 20 (6) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP), its optical isomers, salts
21 and salts of isomers.
- 22 (7) N-(1-(1-methyl-2-phenyl)ethyl-4-piperidyl)-N-phenyl-acetamide (acetyl-alpha-
23 methylfentanyl), its optical isomers, salts and salts of isomers.
- 24 (8) N-(1-(1-methyl-2(2-thienyl)ethyl-4-piperidyl)-N-phenylpropanami de (alpha-
25 methylthiofentanyl), its optical isomers, salts and salts of isomers.
- 26 (9) N-(1-benzyl-piperidyl)-N-phenylpropanamide (benzyl-fentanyl), its optical isomers,
27 salts and salts of isomers.
- 28 (10) N-(1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl)-N-phenyl-propanamid e (beta-
29 hydroxyfentanyl), its optical isomers, salts and salts of isomers.
- 30 (11) N-(3-methyl-1(2-hydroxy-2-phenyl)ethyl-4-piperidyl)-N-phenylpro panamide (beta-
31 hydroxy-3-methylfentanyl), its optical and geometric isomers, salts and salts of isomers.
- 32 (12) N-(3-methyl)-1-(2-(2-thienyl)ethyl-4-piperidyl)-N-phenylpro- panamide (3-
33 methylthiofentanyl), its optical and geometric isomers, salts and salts of isomers.
- 34 (13) N-(1-2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thienylfentanyl), its

1 optical isomers, salts and salts of isomers.

2 (14) N-(1-(2-(2-thienyl)ethyl)-4-piperidyl)-N-phenylpropanamide (thiofentanyl), its optical
3 isomers, salts and salts of isomers.

4 (15) N-[1-(2-phenylethyl)-4-piperidyl]N-(4-fluorophenyl)-propanamide (para-
5 fluorofentanyl), its optical isomers, salts and salts of isomers.

6 (16) Gamma hydroxybutyrate, HOOC-CH₂-CH₂-CH₂OH, its optical, position, or
7 geometric isomers, salts and salts of isomers.

8 (f) Stimulants. - Unless specifically excepted or unless listed in another schedule, any
9 material, compound, mixture, or preparation which contains any quantity of the following
10 substances having a stimulant effect on the central nervous system, including its salts, isomers,
11 and salts of isomers:

12 (1) Fenethylamine

13 (2) N-ethylamphetamine

14 [\(3\) Methylenedioxymethcathinone \(Methylone\)](#)

15 [\(4\) Methylenedioxypropylamphetamine \(MDPV\)](#)

16 [\(5\) Methylenedioxymethamphetamine \(Mephedrone\)](#)

17 [\(6\) Methoxymethamphetamine](#)

18 [\(7\) Fluoromethamphetamine](#)

19 Schedule II

20 (a) Schedule II shall consist of the drugs and other substances, by whatever official
21 name, common or usual name, chemical name, or brand name designated, listed in this section.

22 (b) Substances, vegetable origin or chemical synthesis. - Unless specifically excepted or
23 unless listed in another schedule, any of the following substances whether produced directly or
24 indirectly by extraction from substances of vegetable origin, or independently by means of
25 chemical synthesis, or by a combination of extraction and chemical synthesis:

26 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
27 opiate excluding naloxone and its salts, and excluding naltrexone and its salts, but including the
28 following:

29 (i) Raw opium

30 (ii) Opium extracts

31 (iii) Opium fluid extracts

32 (iv) Powdered opium

33 (v) Granulated opium

34 (vi) Tincture of opium

1 (vii) Etorphine hydrochloride

2 (viii) Codeine

3 (ix) Ethylmorphine

4 (x) Hydrocodone

5 (xi) Hydromorphone

6 (xii) Metopon

7 (xiii) Morphine

8 (xiv) Oxycodone

9 (xv) Oxymorphone

10 (xvi) Thebaine

11 (2) Any salt, compound, derivative, or preparation which is chemically equivalent or
12 identical with any of the substances referred to in subdivision (1) of this subsection, except that
13 these substances shall not include the isoquinoline alkaloids of opium.

14 (3) Opium poppy and poppy straw.

15 (4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
16 any salt, compound, derivative, or preparation which is chemically equivalent or identical with
17 any of these substances, except that the substances shall not include decocainized coca leaves or
18 extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

19 (5) Concentrate of poppy straw (the crude extract of poppy straw in liquid, solid, or
20 powder form which contains the phenanthrine alkaloids of the opium poppy).

21 (c) Opiates. - Unless specifically excepted or unless listed in another schedule any of the
22 following opiates, including its isomers, esters, ethers, salts; and salts of isomers, esters and,
23 ethers whenever the existence of the isomers, esters, ethers, and salts is possible within the
24 specific chemical designation:

25 (1) Alphaprodine

26 (2) Anileridine

27 (3) Bezitramide

28 (4) Dihydrocodeine

29 (5) Diphenoxylate

30 (6) Fentanyl

31 (7) Isomethadone

32 (8) Levomethorphan

33 (9) Levorphanol

34 (10) Metazocine

- 1 (11) Methadone
- 2 (12) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane
- 3 (13) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic
- 4 acid
- 5 (14) Pethidine
- 6 (15) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine
- 7 (16) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
- 8 (17) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
- 9 (18) Phenaxocine
- 10 (19) Piminodine
- 11 (20) Racemethorphan
- 12 (21) Racemorphan
- 13 (22) Bulk Dextropropoxyphene (non-dosage forms)
- 14 (23) Suffentanil
- 15 (24) Alfentanil
- 16 (25) Levoalphacetylmethadol
- 17 (d) Stimulants. - Unless specifically excepted or unless listed in another schedule, any
- 18 material, compound, mixture, or preparation which contains any quantity of the following
- 19 substances having a stimulant effect on the central nervous system:
 - 20 (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.
 - 21 (2) Methamphetamine, its salts and salts of its isomers.
 - 22 (3) Phenmetrazine and its salts.
 - 23 (4) Methylphenidate.
- 24 (e) Depressants. - Unless specifically excepted or unless listed in another schedule, any
- 25 material, compound, mixture, or preparation which contains any quantity of the following
- 26 substances having a depressant effect on the central nervous system, including its salts, isomers,
- 27 and salts of isomers whenever the existence of the salts, isomers, and salts of isomers is possible
- 28 within the specific chemical designation:
 - 29 (1) Amobarbital
 - 30 (2) Glutethimide
 - 31 (3) Methyprylon
 - 32 (4) Pentobarbital
 - 33 (5) Phencyclidine
 - 34 (6) Secobarbital

- 1 (7) Phencyclidine immediate precursors:
2 (i) 1-phencyclohexylamine
3 (ii) 1-piperidinocyclohexane-carbonitrile (PCC)
4 (8) Immediate precursor to amphetamine and methamphetamine: Phenylacetone. Some
5 other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzene ketone.

6 Schedule III

7 (a) Unless specifically excepted or unless listed in another schedule, any material,
8 compound, mixture, or preparation which contains any quantity of the following substances
9 having a depressant effect on the central nervous system:

10 (1) Any substance which contains any quantity of a derivative of barbituric acid, or any
11 salt of a derivative of barbituric acid.

12 (2) Chlorhexadol

13 (3) Lysergic acid

14 (4) Lysergic acid amide

15 (5) Sulfondiethylmethane

16 (6) Sulfonethylmethane

17 (7) Sylfonmethane

18 (8) Any compound, mixture, or preparation containing amobarbital, secobarbital,
19 pentobarbital, or any salt of them and one or more other active medicinal ingredients which are
20 not listed in any schedule.

21 (9) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital or
22 any salt of any of these drugs and approved by the Food and Drug Administration for marketing
23 only as a suppository.

24 (10) Ketamine, its salts, isomers and salts of isomers. (Some other names for ketamine:
25 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone).

26 (b) Unless specifically excepted or unless listed in another schedule, any material,
27 compound, mixture, or preparation containing limited quantities of any of the following narcotic
28 drugs, or any salts of them:

29 (1) Not more than one and eight tenths grams (1.8 gms.) of codeine per one hundred
30 milliliters (100 mls.) or not more than ninety milligrams (90 mgs.) per dosage unit, with an equal
31 or greater quantity of an isoquinoline alkaloid of opium.

32 (2) Not more than one and eight tenths grams (1.8 gms.) of codeine per one hundred
33 milliliters (100 mls.) or not more than ninety milligrams (90 mgs.) per dosage unit, with one or
34 more active, nonnarcotic ingredients in recognized therapeutic amounts.

1 (3) Not more than three hundred milligrams (300 mgs.) of dihydrocodeinone per one
2 hundred milliliters (100 mls.) or not more than fifteen milligrams (15 mgs.) per dosage unit, with
3 a fourfold or greater quantity of an isoquinoline alkaloid of opium.

4 (4) Not more than three hundred milligrams (300 mgs.) of dihydrocodeinone per one
5 hundred milliliters (100 mls.) or not more than fifteen milligrams (15 mgs.) per dosage unit, with
6 one or more active nonnarcotic ingredients in recognized therapeutic amounts.

7 (5) Not more than one and eight tenths grams (1.8 gms.) of dihydrocodeine per one
8 hundred milliliters (100 mls.) or not more than ninety milligrams (90 mgs.) per dosage unit, with
9 one or more active nonnarcotic ingredients in recognized therapeutic amounts.

10 (6) Not more than three hundred milligrams (300 mgs.) of ethylmorphine per one
11 hundred milliliters (100 mls.) or not more than fifteen milligrams (15 mgs.) per dosage unit, with
12 one or more active nonnarcotic ingredients in recognized therapeutic amounts.

13 (7) Not more than five hundred milligrams (500 mgs.) of opium per one hundred
14 milliliters (100 mls.) or per one hundred grams (100 gms.) or not more than twenty-five
15 milligrams (25 mgs.) per dosage unit, with one or more active nonnarcotic ingredients in
16 recognized therapeutic amounts.

17 (8) Not more than fifty milligrams (50 mgs.) of morphine per one hundred milliliters
18 (100 mls.) per one hundred grams (100 gms.) with one or more active, nonnarcotic ingredients in
19 recognized therapeutic amounts.

20 (c) Stimulants. - Unless specifically excepted or listed in another schedule, any material,
21 compound, mixture, or preparation which contains any quantity of the following substances
22 having a stimulant effect on the central nervous system, including its salts, isomers, and salts of
23 the isomers whenever the existence of the salts of isomers is possible within the specific chemical
24 designation:

25 (1) Benzphetamine

26 (2) Chlorphentermine

27 (3) Clortermine

28 (4) Mazindol

29 (5) Phendimetrazine

30 (d) Steroids and hormones. - Anabolic steroids (AS) or human growth hormone (HGH),
31 excluding those compounds, mixtures, or preparations containing an anabolic steroid that because
32 of its concentration, preparation, mixture or delivery system, has no significant potential for
33 abuse, as published in 21 CFR 1308.34, including, but not limited to, the following:

34 (1) Chlorionic gonadotropin

- 1 (2) Clostebol
- 2 (3) Dehydrochlormethyltestosterone
- 3 (4) Ethylestrenol
- 4 (5) Fluoxymesterone
- 5 (6) Mesterolone
- 6 (7) Metenolone
- 7 (8) Methandienone
- 8 (9) Methandrostenolone
- 9 (10) Methyltestosterone
- 10 (11) Nandrolone decanoate
- 11 (12) Nandrolone phenpropionate
- 12 (13) Norethandrolone
- 13 (14) Oxandrolone
- 14 (15) Oxymesterone
- 15 (16) Oxymetholone
- 16 (17) Stanozolol
- 17 (18) Testosterone propionate
- 18 (19) Testosterone-like related compounds
- 19 (20) Human Growth Hormone (HGH)
- 20 (e) Hallucinogenic substances.
- 21 (1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
- 22 U.S. Food and Drug Administration approved drug product. (Some other names for dronabinol:
- 23 (6aR-trans)-6a, 7, 8, 10a- tetrahydro-6, 6, 9- trimethyl-3-pentyl-6H- dibenzo[b,d]pyra n-1-ol,or(-)-
- 24 delta-9(trans)-tetrahydrocannabinol.)
- 25 Schedule IV
- 26 (1) Barbital.
- 27 (2) Chloral betaine
- 28 (3) Chloral hydrate
- 29 (4) Ethchrovynol
- 30 (5) Ethinamate
- 31 (6) Methohexital
- 32 (7) Meprobamate
- 33 (8) Methylphenobarbital
- 34 (9) Paraldehyde

- 1 (10) Petrichloral
- 2 (11) Phenobarbital
- 3 (12) Fenfluramine
- 4 (13) Diethylpropion
- 5 (14) Phentermine
- 6 (15) Pemoline (including organometallic complexes and chelates thereof).
- 7 (16) Chlordiazepoxide
- 8 (17) Clonazepam
- 9 (18) Clorazepate
- 10 (19) Diazepam
- 11 (20) Flurazepam
- 12 (21) Mebutamate
- 13 (22) Oxazepam
- 14 (23) Unless specifically excepted or unless listed in another schedule, any material,
- 15 compound, mixture, or preparation which contains any quantity of the following substances,
- 16 including its salts:
- 17 Dextropropoxyphene(alpha-(+)-4-dimethylamino-1,2-diphenyl-3- methyl-2-
- 18 propronoxybutane).
- 19 (24) Prazepam
- 20 (25) Lorazepam
- 21 (26) Not more than one milligram (1 mg.) of difenoxin and not less than twenty-five (25)
- 22 micrograms of atropine sulfate per dosage unit.
- 23 (27) Pentazocine
- 24 (28) Pipradrol
- 25 (29) SPA (-)-1-dimethylamino-1, 2-diphenylethane
- 26 (30) Temazepam
- 27 (31) Halazepam
- 28 (32) Alprazolam
- 29 (33) Bromazepam
- 30 (34) Camazepam
- 31 (35) Clobazam
- 32 (36) Clotiazepam
- 33 (37) Cloxazolam
- 34 (38) Delorazepam

- 1 (39) Estazolam
- 2 (40) Ethyl Ioflazepate
- 3 (41) Fludizaepam
- 4 (42) Flunitrazepam
- 5 (43) Haloxazolam
- 6 (44) Ketazolam
- 7 (45) Loprazolam
- 8 (46) Lormetazepam
- 9 (47) Medazepam
- 10 (48) Nimetazepam
- 11 (49) Nitrazepam
- 12 (50) Nordiazepam
- 13 (51) Oxazolam
- 14 (52) Pinazepam
- 15 (53) Tetrazepam
- 16 (54) Mazindol
- 17 (55) Triazolam
- 18 (56) Midazolam
- 19 (57) Quazepam
- 20 (58) Butorphanol
- 21 (59) Sibutramine

22 Schedule V

23 (a) Any compound, mixture, or preparation containing any of the following limited
24 quantities of narcotic drugs, which shall include one or more non-narcotic active medicinal
25 ingredients in sufficient proportion to confer upon the compound, mixture, or preparation
26 valuable medicinal qualities other than those possessed by the narcotic drug alone:

27 (1) Not more than two hundred milligrams (200 mgs.) of codeine per 100 milliliters (100
28 mls.) or per one hundred grams (100 gms.).

29 (2) Not more than one hundred milligrams (100 mgs.) of dihydrocodeine per 100
30 milliliters (100 mls.) or per one hundred grams (100 gms.).

31 (3) Not more than one hundred milligrams (100 mgs.) of ethylmorphine per 100
32 milliliters (100 mls.) or per one hundred grams (100 gms.).

33 (4) Not more than two and five tenths milligrams (2.5 mgs.) of diphenixylate and not less
34 than twenty-five (25) micrograms of atropine sulfate per dosage unit.

1 (5) Not more than one hundred milligrams (100 mgs.) of opium per one hundred
2 milliliters (100 mls.) or per one hundred grams (100 gms.).

3 (b) Not more than five tenths milligrams (0.5 mgs.) of difenoxin and not less than
4 twenty-five (25) micrograms of atropine sulfate per dosage unit.

5 (c) Buprenorphine

6 (d) Unless specifically exempted or excluded or unless listed in another schedule, any
7 material, compound, mixture, or preparation which contains any quantity of the following
8 substances having a stimulant effect on the central nervous system, including its salts, isomers
9 and salts of isomers:

10 (1) Propylhexedrine (except as benzedrex inhaler)

11 (2) Pyrovalerone.

12 SECTION 2. Title 21 of the General Laws entitled "Food And Drugs" is hereby amended
13 by adding thereto the following chapter:

14 CHAPTER 28.8

15 THE GOOD SAMARITAN OVERDOSE PREVENTION ACT

16 **21-28.8-1. Short title.** – This chapter shall be known and may be cited as “The Good 21
17 Samaritan Overdose Prevention Act”.

18 **21-28.8-2. Definition.** – “Opioid antagonist” is a drug which is a competitive antagonist
19 23 that binds to the opioid receptors with higher affinity than agonists but does not activate the
20 receptors, effectively blocking the receptor, preventing the human body from making use of
21 opiates and endorphins.

22 **21-28.8-3. Authority to administer opioid antagonists – Release from liability.** – (a) A person may administer an opioid antagonist to another person if:

23 (1) He or she, in good faith, believes the other person is experiencing a drug overdose;
24 and

25 (2) He or she acts with reasonable care in administering the drug to the other person.

26 (b) A person who administers an opioid antagonist to another person pursuant to this
27 section shall not be subject to civil liability or criminal prosecution as a result of the
28 administration of the drug.

29 **21-28.8-4. Emergency overdose care – Immunity from legal repercussions.** – (a) Any
30 person who, in good faith, seeks medical assistance for someone experiencing a drug overdose or
31 other drug-related medical emergency shall not be charged or prosecuted for any crime related to
32 the possession or delivery of a controlled substance or drug paraphernalia, or the operation of a
33 drug-involved premises if the evidence for the charge was gained as a result of the seeking of
34

1 medical assistance.

2 (b) Any person who experiences a drug overdose or other drug-related medical
3 emergency and is in need of medical assistance shall not be charged or prosecuted for any crime
4 related to the possession or delivery of a controlled substance or drug paraphernalia or the
5 operation of a drug-involved premises if the evidence for the charge was gained as a result of the
6 overdose and the need for medical assistance.

7 (c) The act of providing first aid or other medical assistance to someone who is
8 experiencing a drug overdose or other drug-related medical emergency may be used as a
9 mitigating factor in a criminal prosecution pursuant to chapter 21-28 (Rhode Island controlled
10 substances act).

11 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FOOD AND DRUGS -- DRUG ABUSE AND OVERDOSE PREVENTION
ACT

1 This act would place Methylone, MDPV, Mephedrone and other compounds commonly
2 known and marketed as “bath salts” on schedule I of the uniform controlled substances act. This
3 would also create “The Good Samaritan Overdose Prevention Act” which would exempt from
4 liability any person who administers an opioid antagonist to another person to prevent a drug
5 overdose.

6 This act would take effect upon passage.

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