



GOV. MSG. NO. 1176

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 1, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

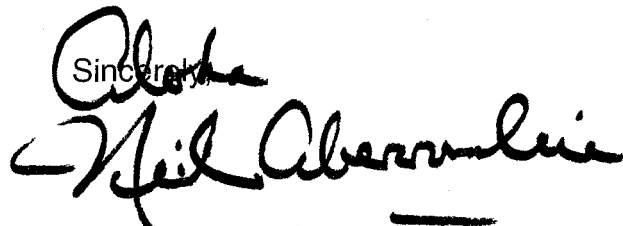
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 1, 2011, the following bill was signed into law:

HB1085 HD2 SD2 CD1

RELATING TO CONTROLLED SUBSTANCES
Act 073 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. Section 329-14, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:
3 "(d) Any material, compound, mixture, or preparation that
4 contains any quantity of the following hallucinogenic
5 substances, their salts, isomers, and salts of isomers, unless
6 specifically excepted, whenever the existence of these salts,
7 isomers, and salts of isomers is possible within the specific
8 chemical designation:
- 9 (1) Alpha-ethyltryptamine (AET);
 - 10 (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
 - 11 (3) 2,5-dimethoxyamphetamine (2,5-DMA);
 - 12 (4) 3,4-methylenedioxy amphetamine;
 - 13 (5) 3,4-methylenedioxymethamphetamine (MDMA);
 - 14 (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-
15 MDA);
 - 16 (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
 - 17 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
 - 18 (9) 4-bromo-2,5-dimethoxy-amphetamine(4-bromo-2,5-DMA);



- 1 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
- 2 (11) 3,4,5-trimethoxy amphetamine;
- 3 (12) Bufotenine;
- 4 (13) 4-methoxyamphetamine (PMA);
- 5 (14) Diethyltryptamine;
- 6 (15) Dimethyltryptamine;
- 7 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 8 (17) Gamma hydroxybutyrate (GHB) (some other names include
- 9 gamma hydroxybutyric acid; 4-hydroxybutyrate;
- 10 4-hydroxybutanoic acid; sodium oxybate; sodium
- 11 oxybutyrate);
- 12 (18) Ibogaine;
- 13 (19) Lysergic acid diethylamide;
- 14 (20) Marijuana;
- 15 (21) Parahexyl;
- 16 (22) Mescaline;
- 17 (23) Peyote;
- 18 (24) N-ethyl-3-piperidyl benzilate;
- 19 (25) N-methyl-3-piperidyl benzilate;
- 20 (26) Psilocybin;
- 21 (27) Psilocyn;
- 22 (28) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);



- 1 (29) Tetrahydrocannabinols; meaning tetrahydrocannabinols
2 naturally contained in a plant of the genus Cannabis
3 (cannabis plant), as well as synthetic equivalents of
4 the substances contained in the cannabis plant, or in
5 the resinous extractives of such plant, or synthetic
6 substances, derivatives, and their isomers with
7 similar chemical structure and pharmacological
8 activity to those substances contained in the plant,
9 such as the following:
- 10 (A) 1 cis or trans tetrahydrocannabinol, and their
11 optical isomers;
- 12 (B) 6 cis or trans tetrahydrocannabinol, and their
13 optical isomers; and
- 14 (C) 3,4 cis or trans tetrahydrocannabinol, and its
15 optical isomers.
- 16 (Since nomenclature of these substances is not
17 internationally standardized, compounds of these
18 structures, regardless of numerical designation of
19 atomic positions, are covered);
- 20 (30) Ethylamine analog of phencyclidine (PCE);
- 21 (31) Pyrrolidine analog of phencyclidine (PCPy, PHP);
- 22 (32) Thiophene analog of phencyclidine (TFCP; TCP);



- 1 (33) Gamma-butyrolactone, including butyrolactone;
2 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
3 dihydro; dihydro-2(3H)-furanone; tetrahydro-
4 2-furanone; 1,2-butanolide; 1,4-butanolide;
5 4-butanolide; gamma-hydroxybutyric acid lactone;
6 3-hydroxybutyric acid lactone and 4-hydroxybutanoic
7 acid lactone with Chemical Abstract Service number
8 96-48-0 when any such substance is intended for human
9 ingestion;
- 10 (34) 1,4 butanediol, including butanediol; butane-1,4-diol;
11 1,4- butylenes glycol; butylene glycol;
12 1,4-dihydroxybutane; 1,4- tetramethylene glycol;
13 tetramethylene glycol; tetramethylene 1,4- diol with
14 Chemical Abstract Service number 110-63-4 when any
15 such substance is intended for human ingestion;
- 16 (35) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7),
17 its optical isomers, salts, and salts of isomers;
- 18 (36) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
19 optical isomers, salts, and salts of isomers;
- 20 (37) 1-(3-trifluoromethylphenyl)piperazine (TFMPP), its
21 optical isomers, salts, and salts of isomers;



- 1 (38) Alpha-methyltryptamine (AMT), its isomers, salts, and
2 salts of isomers;
- 3 (39) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its
4 isomers, salts, and salts of isomers;
- 5 (40) Salvia divinorum;
- 6 (41) Salvinorin A; [~~and~~]
- 7 (42) Divinorin A[~~-~~];
- 8 (43) Mephedrone (2-methylamino-1-p-tolylpropan-1-one) also
9 known as 4-methylmethcathinone (4-MMC),
10 methylephedrone or MMCAT;
- 11 (44) Methylenedioxypropylone (MDPV, MDPK);
- 12 (45) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-
13 3-(2-methyloctan-2-yl)-6a,7,10,10a-
14 tetrahydrobenzo[c]chromen-1-ol, (another trade name is
15 HU-210);
- 16 (46) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-
17 2-yl)phenol, (other trade names include CP 47,497 and
18 dimethyloctyl homologues);
- 19 (47) 1-Pentyl-3-(1-naphthoyl)indole, (another trade name is
20 JWH-018);
- 21 (48) 1-Butyl-3-(1-naphthoyl)indole, (another trade name is
22 JWH-073); and



1 (49) Cannabicyclohexanol."

2 SECTION 2. Section 329-16, Hawaii Revised Statutes, is
3 amended by amending subsection (c) to read as follows:

4 "(c) Any of the following opiates, including their
5 isomers, esters, ethers, salts, and salts of isomers, whenever
6 the existence of these isomers, esters, ethers, and salts is
7 possible within the specific chemical designation:

- 8 (1) Alfentanil;
9 (2) Alphaprodine;
10 (3) Anileridine;
11 (4) Bezitramide;
12 (5) Bulk Dextropropoxyphene (nondosage form);
13 (6) Carfentanil;
14 (7) Dihydrocodeine;
15 (8) Diphenoxylate;
16 (9) Fentanyl;
17 (10) Isomethadone;
18 (11) Levo-alphaacetylmethadol (LAAM);
19 (12) Levomethorphan;
20 (13) Levorphanol;
21 (14) Metazocine;
22 (15) Methadone;



- 1 (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
2 4-diphenyl butane;
- 3 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1,
4 1-diphenyl-propane-carboxylic acid;
- 5 (18) Pethidine (Meperidine);
- 6 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-
7 4-phenylpiperidine;
- 8 (20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-
9 4-carboxylate;
- 10 (21) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-
11 4-carboxylic acid;
- 12 (22) Phenazocine;
- 13 (23) Piminodine;
- 14 (24) Racemethorphan;
- 15 (25) Racemorphan;
- 16 (26) Remifentanil;
- 17 (27) Sufentanil; [~~and~~]
- 18 (28) Tapentadol[-]; and
- 19 (29) 4-anilino-N-phenethyl-4-piperidine (ANPP)."

20 SECTION 3. Section 329-18, Hawaii Revised Statutes, is
21 amended by amending subsection (g) to read as follows:



1 "(g) Any anabolic steroid. The term "anabolic steroid"
2 means any drug or hormonal substance chemically and
3 pharmacologically related to testosterone (other than estrogens,
4 progestins, and corticosteroids) that promotes muscle growth,
5 and includes:

- 6 (1) Boldenone;
- 7 (2) Clostebol (4-Chlorotestosterone);
- 8 (3) Dehydrochlormethyltestosterone;
- 9 (4) Dihydrotestosterone (4-dihydrotestosterone);
- 10 (5) Drostanolone;
- 11 (6) Ethylestrenol;
- 12 (7) Fluoxymesterone;
- 13 (8) Formebolone (Formyldienolone);
- 14 (9) Mesterolone;
- 15 (10) Methandranone;
- 16 (11) Methandriol;
- 17 (12) Methandrostenolone (Methandienone);
- 18 (13) Methenolone;
- 19 (14) Methyltestosterone;
- 20 (15) Mibolerone;
- 21 (16) Nandrolone;
- 22 (17) Norethandrolone;



- 1 (18) Oxandrolone;
- 2 (19) Oxymesterone;
- 3 (20) Oxymetholone;
- 4 (21) Stanolone (Dihydrotestosterone);
- 5 (22) Stanozolol;
- 6 (23) Testolactone;
- 7 (24) Testosterone;
- 8 (25) Trenbolone;
- 9 (26) 3[beta], 17-dihydroxy-5a-androstane;
- 10 (27) 3[alpha], 17[beta]-dihydroxy-5a-androstane;
- 11 (28) 5[alpha]-androst-3, 17-dione;
- 12 (29) 1-androstenediol (3[beta], 17[beta]-dihydroxy-
- 13 5[alpha]-androst-1-ene);
- 14 (30) 1-androstenediol (3[alpha], 17[beta]-dihydroxy-
- 15 5[alpha]-androst-1-ene);
- 16 (31) 4-androstenediol (3[beta], 17[beta]-dihydroxy-androst-
- 17 4-ene);
- 18 (32) 5-androstenediol (3[beta], 17[beta]-dihydroxy-androst-
- 19 5-ene);
- 20 (33) 1-androstenedione ([5[alpha]]-androst-1-en-3,
- 21 17-dione);
- 22 (34) 4-androstenedione (androst-4-en-3, 17-dione);



- 1 (35) 5-androstenedione (androst-5-en-3, 17-dione);
- 2 (36) Bolasterone (7[alpha], 17[alpha]-dimethyl-17[beta]-
- 3 hydroxyandrost-4-en-3-one);
- 4 (37) Calusterone (7[beta], 17[alpha]-dimethyl-17[beta]-
- 5 hydroxyandrost-4-en-3-one);
- 6 (38) [Delta]1-dihydrotestosterone (a.k.a. '1-testosterone')
- 7 (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 8 (39) Furazabol (17[alpha]-methyl-17[beta]-
- 9 hydroxyandrostano[2,3-c]-furazan);
- 10 (40) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one;
- 11 (41) 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-
- 12 4-en-3-one);
- 13 (42) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-
- 14 estr-4-en-3-one);
- 15 (43) Mesterolone (1[alpha]methyl-17[beta]-hydroxy-
- 16 [5[alpha]]-androstan-3-one);
- 17 (44) Methandienone (17[alpha]-methyl-17[beta]-
- 18 hydroxyandrost-1,4-dien-3-one);
- 19 (45) Methandriol (17[alpha]-methyl-3[beta], 17[beta]-
- 20 dihydroxyandrost-5-ene);
- 21 (46) Methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-
- 22 androst-1-en-3-one);



- 1 (47) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxy-
2 5a-androstane;
- 3 (48) 17[alpha]-methyl-3[alpha], 17[beta]-dihydroxy-
4 5a-androstane;
- 5 (49) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxyandrost-
6 4-ene;
- 7 (50) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-
8 methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
- 9 (51) Methyldienolone (17[alpha]-methyl-17[beta]-
10 hydroxyestra-4, 9(10)-dien-3-one);
- 11 (52) Methyltrienolone (17[alpha]-methyl-17[beta]-
12 hydroxyestra-4, 9-11-trien-3-one);
- 13 (53) 17[alpha]-methyl-[Delta] 1-dihydrotestosterone (17b
14 [beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-
15 3-one) (a.k.a. '17-[alpha]-methyl-1-testosterone');
- 16 (54) 19-nor-4-androstenediol (3[beta], 17[beta]-
17 dihydroxyestr-4-ene);
- 18 (55) 19-nor-4-androstenediol (3[alpha], 17[beta]-
19 dihydroxyestr-4-ene);
- 20 (56) 19-nor-5-androstenediol (3[beta], 17[beta]-
21 dihydroxyestr-5-ene);



- 1 (57) 19-nor-5-androstenediol (3[alpha], 17[beta]-
2 dihydroxyestr-5-ene);
- 3 (58) 19-nor-4-androstenedione (estr-4-en-3, 17-dione);
- 4 (59) 19-nor-5-androstenedione (estr-5-en-3, 17-dione);
- 5 (60) Norbolethone (13[beta], 17[alpha]-diethyl-17[beta]-
6 hydroxygon-4-en-3-one);
- 7 (61) Norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-
8 3-one);
- 9 (62) Normethandrolone (17[alpha]-methyl-17[beta]-
10 hydroxyestr-4-en-3-one);
- 11 (63) Stenbolone (17[beta]-hydroxy-2-methyl-[5[alpha]]-
12 androst-1-en-3-one);
- 13 (64) Tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-
14 17[beta]-hydroxygon-4, 9, 11-trien-3-one); ~~and~~
- 15 (65) Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-
16 17-ol, madol);
- 17 (66) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-
18 diene-3,17-dione);
- 19 (67) Boldione (Androsta-1,4-diene-3,17-dione); and
- 20 [+65+] (68) Any salt, ester, or isomer of a drug or
21 substance described or listed in this subsection, if
22 that salt, ester, or isomer promotes muscle growth,



1 except the term "anabolic steroid" does not include an
2 anabolic steroid [~~which~~] that is expressly intended
3 for administration through implants to cattle or other
4 nonhuman species and [~~which~~] that has been approved by
5 the Secretary of Health and Human Services for
6 nonhuman administration. If any person prescribes,
7 dispenses, or distributes an anabolic steroid intended
8 for administration to nonhuman species for human use,
9 the person shall be considered to have prescribed,
10 dispensed, or distributed an anabolic steroid within
11 the meaning of this paragraph."

12 SECTION 4. Section 329-101, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) The designated state agency shall determine those
15 schedules of controlled substances, classes of controlled
16 substances, and specific controlled substances that are
17 purportedly being misused and abused in the State. No
18 identified controlled substances may be dispensed unless
19 information relevant to the dispensation of the substance is
20 reported electronically or by [~~universal claim form~~] means
21 indicated by the designated state agency to the central



1 repository established under section 329-102, in accordance with
2 rules adopted by the department."

3 SECTION 5. Section 329-102, Hawaii Revised Statutes, is
4 amended by amending subsection (f) to read as follows:

5 "(f) All prescriptions for controlled substances in
6 schedules II through V and other [~~controlled~~] substances of
7 concern designated by the designated state agency that are
8 processed by an out-of-state pharmacy shall conform to reporting
9 and registration requirements adopted by the State, and to any
10 additional rules the department adopts."

11 SECTION 6. Section 329-123, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

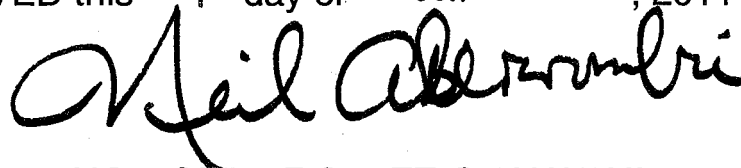
13 "(b) Qualifying patients shall register with the
14 department of public safety. [~~Such~~] The registration shall be
15 effective until the expiration of the certificate issued by the
16 department and signed by the physician. Every qualifying
17 patient shall provide sufficient identifying information to
18 establish the personal [~~identity~~] identities of the qualifying
19 patient and the primary caregiver. Qualifying patients shall
20 report changes in information within five working days. Every
21 qualifying patient shall have only one primary caregiver at any
22 given time. The department shall then issue to the qualifying

1 patient a registration certificate, and may charge a reasonable
2 fee not to exceed [~~\$25.~~] \$35."

3 SECTION 7. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 1, 2011.

APPROVED this 1 day of JUN, 2011



GOVERNOR OF THE STATE OF HAWAII

