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# 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; 4-
- 10 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, and/or  
6 synthetic substances, derivatives, and their isomers  
7 with similar chemical structure and pharmacological  
8 activity to those substances contained in the plant,  
9 such as the following:
- 10 1 cis or trans tetrahydrocannabinol, and their optical  
11 isomers;
- 12 6 cis or trans tetrahydrocannabinol, and their optical  
13 isomers;
- 14 3,4 cis or transtetrahydrocannabinol, and its optical  
15 isomers. (Since nomenclature of these substances is  
16 not internationally standardized, compounds of these  
17 structures, regardless of numerical designation of  
18 atomic positions covered);
- 19 (30) Ethylamine analog of phencyclidine (PCE);
- 20 (31) Pyrrolidine analog of phencyclidine (PCPy, PHP);
- 21 (32) Thiophene analog of phencyclidine (TPCP; TCP);



- 1 (33) Gamma-butyrolactone, including butyrolactone;  
2 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone  
3 dihydro; dihydro-2(3H)-furanone; tetrahydro-2-  
4 furanone; 1,2-butanolide; 1,4-butanolide; 4-  
5 butanolide; gamma-hydroxybutyric acid lactone; 3-  
6 hydroxybutyric acid lactone and 4-hydroxybutanoic acid  
7 lactone with Chemical Abstract Service number 96-48-0  
8 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; 1,4-  
12 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) Methylenedioxypyrovalerone (MDPV, MDPK);
- 12 (45) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
13 methyloctan-2-yl)-6a,7,10,10a-  
14 tetrahydrobenzo[c]chromen-1-ol, Some trade or other  
15 names: HU-210;
- 16 (46) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-  
17 yl)phenol), Some trade or other names: CP 47,497 and  
18 dimethyloctyl homologues;
- 19 (47) 1-Pentyl-3-(1-naphthoyl)indole, Some trade or other  
20 names: JWH-018;
- 21 (48) 1-Butyl-3-(1-naphthoyl)indole, Some trade or other  
22 names: 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, 4-  
2 diphenyl butane;
- 3 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-  
4 diphenyl-propane-carboxylic acid;
- 5 (18) Pethidine (Meperidine);
- 6 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-  
7 phenylpiperidine;
- 8 (20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-  
9 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]-androstan-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, 17-
- 21 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]-furan);
- 10 (40) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one;
- 11 (41) 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-4-  
12 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-5a-  
2 androstane;
- 3 (48) 17[alpha]-methyl-3[alpha], 17[beta]-dihydroxy-5a-  
4 androstane;
- 5 (49) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxyandrost-4-  
6 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-3-  
8 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 substance  
21 described or listed in this subsection, if that salt,  
22 ester, or isomer promotes muscle growth, except the



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

12 SECTION 4. Section 329-32, Hawaii Revised Statutes, is  
13 amended by amending subsection (e) to read as follows:

14 "(e) A separate registration shall be required at each  
15 principal place of business or professional practice where the  
16 applicant manufactures, distributes, prescribes, or dispenses  
17 controlled substances, recommends the medical use of marijuana,  
18 except an office used by a practitioner (who is registered at  
19 another location) where controlled substances are prescribed but  
20 neither administered nor otherwise dispensed as a regular part  
21 of the professional practice of the practitioner at such office,  
22 and where no supplies of controlled substances are maintained."



1 SECTION 5. Section 329-101, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) The designated state agency shall determine those  
4 schedules of controlled substances, classes of controlled  
5 substances, and specific controlled substances that are  
6 purportedly being misused and abused in the State. No  
7 identified controlled substances may be dispensed unless  
8 information relevant to the dispensation of the substance is  
9 reported electronically or by [~~universal claim form~~] means  
10 indicated by the designated state agency to the central  
11 repository established under section 329-102, in accordance with  
12 rules adopted by the department."

13 SECTION 6. Section 329-102, Hawaii Revised Statutes, is  
14 amended by amending subsection (f) to read as follows:

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

21 SECTION 7. Section 329-123, Hawaii Revised Statutes, is  
22 amended by amending subsection (b) to read as follows:



1           "(b) Qualifying patients shall register with the  
2 department of public safety. Such registration shall be  
3 effective until the expiration of the certificate issued by the  
4 department and signed by the physician. Every qualifying  
5 patient shall provide sufficient identifying information to  
6 establish personal identity of the qualifying patient and the  
7 primary caregiver. Qualifying patients shall report changes in  
8 information within five working days. Every qualifying patient  
9 shall have only one primary caregiver at any given time. The  
10 department shall then issue to the qualifying patient a  
11 registration certificate, and may charge a reasonable fee not to  
12 exceed [~~\$25.~~] \$35."

13           SECTION 8. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15           SECTION 9. This Act shall take effect upon its approval.



**Report Title:**

Relating to Controlled Substances.

**Description:**

This measure amends Chapter 329, Hawaii Revised Statutes, to bring the Hawaii statutes on controlled substances to be consistent with the federal laws on controlled substances, and increases the fee for the registration certificate for qualifying patients for medical marijuana. (HB1085 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

