

House Bill 211 (AS PASSED HOUSE AND SENATE)

By: Representatives Broadrick of the 4th, Harden of the 148th, Gravley of the 67th, Stephens of the 164th, Weldon of the 3rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
2 controlled substances, so as to change certain provisions relating to Schedules I, III, and IV
3 controlled substances; to change certain provisions relating to the definition of "dangerous
4 drug"; to revise provisions relating to labeling prescription containers of dangerous drugs;
5 to provide for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled
9 substances, is amended by adding new subparagraphs to paragraph (3) of Code Section
10 16-13-25, relating to Schedule I controlled substances, to read as follows:

11 "(UUU) 3-(1,3-benzenodioxol-5-yl)-N,2-dimethylpropan-1-amine
12 (3,4-methylenedioxymethamphetamine methyl homolog);
13 (VVV) (2-aminopropyl)-2,3-dihydrobenzofuran (APDB);
14 (WWW) 4-methyl-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine
15 (25D-NBOMe);
16 (XXX) 2-chloro-4,5-methylenedioxymethamphetamine;
17 (YYY) 4-hydroxy-N-methyl-N-ethyltryptamine (4-HO-MET);
18 (ZZZ) 2-bromo-4,5-methylenedioxymethamphetamine;
19 (AAAA) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25H-NBOMe);"

20 **SECTION 2.**

21 Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled
22 substances, by substituting the "." at the end of subparagraph (Z) with a ";" and by adding a
23 new subparagraphs to paragraph (12), to read as follows:

24 "(AA) Naphthalene-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (NM2201);

- 25 (BB) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
 26 (FUB-144);
 27 (CC) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carbox
 28 amide (5-fluoro-ABICA);
 29 (DD) 1-naphthalenyl(1-pentyl-1H-indazol-3-yl)-methanone (THJ 018)."

30 **SECTION 3.**

31 Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled
 32 substances, by revising paragraph (4) as follows:

33 "(4) Unless specifically excepted or unless listed in another schedule, any material,
 34 compound, mixture, or preparation containing limited quantities of the following narcotic
 35 drugs, or any salts thereof:

36 (A) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not
 37 more than 90 milligrams per dosage unit, with an equal or greater quantity of an
 38 isoquinoline alkaloid of opium;

39 (B) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not
 40 more than 90 milligrams per dosage unit, with one or more active, nonnarcotic
 41 ingredients in recognized therapeutic amounts;

42 ~~(C) Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its~~
 43 ~~salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold~~
 44 ~~or greater quantity of an isoquinoline alkaloid of opium; Reserved;~~

45 ~~(D) Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its~~
 46 ~~salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or~~
 47 ~~more active, nonnarcotic ingredients in recognized therapeutic amounts; Reserved;~~

48 (E) Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters
 49 or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic
 50 ingredients in recognized therapeutic amounts;

51 (F) Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100
 52 milliliters or not more than 15 milligrams per dosage unit, with one or more active,
 53 nonnarcotic ingredients in recognized therapeutic amounts;

54 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not
 55 more than 25 milligrams per dosage unit, with one or more active, nonnarcotic
 56 ingredients in recognized therapeutic amounts;

57 (H) Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or
 58 per 100 grams with one or more active, nonnarcotic ingredients in recognized
 59 therapeutic amounts;"

60 **SECTION 4.**

61 Said chapter is further amended by adding new paragraphs to subsection (a) of Code Section
62 16-13-28, relating to Schedule IV controlled substances, to read as follows:

63 "(0.5) Alfaxalone;"

64 "(13.15) Etizolam;"

65 "(27.5) Phenazepam;"

66 "(30.5) Suvorexant;"

67 **SECTION 5.**

68 Said chapter is further amended in Code Section 16-13-71, relating to the definition of a
69 dangerous drug, by revising paragraphs (402.7) and (931.35) of subsection (b) and by adding
70 new paragraphs to subsection (b), to read as follows:

71 "(17.6) Albiglutide;"

72 "(19.58) Alemtuzumab;"

73 "(62.38) Apremilast;"

74 "(78.7) Belinostat;"

75 "(104.3) Blinatumomab;"

76 "(153.7) Ceftolozane;"

77 "(159.7) Ceritinib;"

78 "(237.05) Dalbavancin;"

79 "(239.4) Dapagliflozin;"

80 "(240.8) Dasabuvir;"

81 "(325.43) Droxidopa;"

82 "(325.44) Dulaglutide;"

83 "(331.04) Efinaconazole;"

84 "(331.055) Eliglustat;"

85 "(331.058) Elosulfase;"

86 "(331.071) Empagliflozin;"

87 "(386.6) Finafloxacin;"

88 "(402.7) Fluticasone – See exceptions;"

89 "(464.2) Idelalisib;"

90 "(513.3) Ledipasvir;"

91 "(611.5) Metreleptin;"

92 "(617.7) Miltefosine;"

93 "(634.7) Naloxegol;"

94 "(640.35) Netupitant;"

95 "(644.6) Nintedanib;"

- 96 "(648.5) Nivolumab;"
 97 "(661.9) Olaparib;"
 98 "(663.15) Olodaterol;"
 99 "(663.37) Ombitasvir;"
 100 "(663.73) Oritavancin;"
 101 "(691.7) Paritaprevir;"
 102 "(692.28) Pasireotide;"
 103 "(692.53) Pembrolizumab;"
 104 "(703.42) Peramivir;"
 105 "(740.07) Pirfenidone;"
 106 "(831.06) Ramucirumab;"
 107 "(855.95) Siltuximab;"
 108 "(931.2) Tasimelteon;"
 109 "(931.21) Tavaborole;"
 110 "(931.35) ~~Tazobactam~~ Tazobactam;"
 111 "(931.52) Tedizolid;"
 112 "(1018.8) Umeclidinium;"
 113 "(1027.2) Vedolizumab;"
 114 "(1037.3) Vorapaxar;"

115 **SECTION 6.**

116 Said chapter is further amended by adding a new paragraph to subsection (c) of Code Section
 117 16-13-71, relating to the definition of a dangerous drug, to read as follows:

118 "(9.75) Fluticasone – when available in a device that delivers a metered spray of 0.05 mg
 119 and to be used for the temporary relief of symptoms due to hay fever or other upper
 120 respiratory allergies;"

121 **SECTION 7.**

122 Said chapter is further amended by revising Code Section 16-13-73, relating to labeling
 123 prescription containers of dangerous drugs, as follows:

124 "16-13-73.

125 (a) Whenever a pharmacist dispenses a dangerous drug, he shall, in each case, place upon
 126 the container the following information:

- 127 (1) Name of the patient;
 128 (2) Name of the ~~physician~~ practitioner prescribing the drug;
 129 (3) The expiration date, if any, of the drug;
 130 (4) Name and address of the pharmacy from which the drug was dispensed; and

131 (5) The date of the prescription.

132 (b) Any pharmacist who dispenses a dangerous drug and fails to place the label required
133 by subsection (a) of this Code section upon the container of such drug shall be guilty of a
134 misdemeanor."

135 **SECTION 8.**

136 This Act shall become effective upon its approval by the Governor or upon its becoming law
137 without such approval.

138 **SECTION 9.**

139 All laws and parts of laws in conflict with this Act are repealed.