

FINAL/APPROVED

**VIRGINIA BOARD OF PHARMACY  
PUBLIC HEARING FOR SCHEDULING CERTAIN SUBSTANCES**

March 25, 2016  
Second Floor  
Board Room 4

Perimeter Center  
9960 Mayland Drive  
Henrico, Virginia 23233-1463

CALL TO ORDER: The public hearing was called to order at 9:05a.m.

PRESIDING: Cynthia Warriner, Chairman

MEMBERS PRESENT: Melvin L. Boone, Sr.  
Freeda Cathcart  
Ryan K. Logan  
Rafael Saenz  
Rebecca Thornbury  
Ellen B. Shinaberry  
Jody H. Allen

MEMBERS ABSENT: Sheila K. W. Elliott  
Michael I. Elliott

STAFF PRESENT: Caroline D. Juran, Executive Director  
Cathy M. Reiniers-Day, Deputy Executive Director  
J. Samuel Johnson, Jr., Deputy Executive Director  
Beth O'Halloran, Individual Licensing Manager  
David E. Brown, D.C., Director, DHP  
Lisa Hahn, Chief Deputy Director, DHP  
Elaine J. Yeatts, Senior Policy Analyst, DHP  
James Rutkowski, Assistant Attorney General

QUORUM: With eight members present, a quorum was established.


Pursuant to subsection D of 54.1-3443 of the Code, a public hearing to consider placement of chemical substances in Schedule I of the Drug Control Act was held. If approved by the Board of Pharmacy, the placement of these substances in Schedule I in the Virginia Drug Control Act shall go into effect 30 days following publication of the proposed regulation and remain in effect for a period of 18 months. The chemicals will then be de-scheduled unless a general law is passed by the General Assembly placing the chemicals into Schedule I.

CALL FOR COMMENT: Ms. Warriner called for comment to consider placement of the chemical substances N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: butyryl fentanyl), Flubromazolam, 5-methoxy-N,N-methylisopropyltryptamine (other name: 5-MeO-MIPT), N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-[(4-

fluorophenyl)methyl]-1H-indazole-3-carboxamide (other name: ADB-FUBINACA), Methyl 2-[1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: MDMB-FUBINACA), and Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5-fluoro-ADB and 5-Fluoro-MDMB-PINACA) into Schedule I. John Prysbylski with the Department of Forensic Science stated that these six chemicals have been identified in forensic labs within Virginia and nationally. He stated flubromazolam has been associated with one fatality, 5-methoxy-N,N-methylisopropyltryptamine (other name: 5-MeO-MIPT) is a hallucinogenic, and that N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide (other name: ADB-FUBINACA), Methyl 2-[1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: MDMB-FUBINACA), and Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5-fluoro-ADB and 5-Fluoro-MDMB-PINACA) are cannabimimetics. He also stated that Methyl 2-[1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: MDMB-FUBINACA) has been associated with 40 deaths and 1,000 hospitalizations. No additional public comment was provided.

ADJOURN:

The public hearing adjourned at 9:12am.

  
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Cynthia Warriner, Chairman

6/14/16  
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Date

  
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Caroline D. Juran, Executive Director

6/14/16  
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Date