

**(FINAL/APPROVED)**  
**VIRGINIA BOARD OF PHARMACY**  
**MINUTES OF PUBLIC HEARING TO PLACE CERTAIN CHEMICALS INTO SCHEDULE I**  
**AND CONFORM DRUG SCHEDULES TO FEDERAL SCHEDULING ACTION**

Monday, September 6, 2022  
Commonwealth Conference Center  
Second Floor  
Board Room 2

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive  
Henrico, Virginia 23233

---

**CALL TO ORDER:** The Board of Pharmacy (“Board”) convened a public hearing to 1) consider placement of certain chemicals into Schedule I and 2) the conforming of drug schedules to federal scheduling action at 9:05 am.

**PRESIDING:** Dale St.Clair, PharmD, Chairman

**MEMBERS PRESENT:** Larry Kocot, J.D.  
Bill Lee, DPh  
Wendy Nash, PharmD  
Kristopher Ratliff, DPh  
Patricia Richards-Spruill, RPh  
Ling Yuan, PharmD

**MEMBERS ABSENT** Jim Jenkins, RN  
Cheri Garvin, RPh  
Sarah Melton, PharmD

**STAFF PRESENT:** Erin Barrett, J.D., DHP Senior Policy Analyst  
David Brown, D.C., DHP Director  
Mykl Egan, J.D., Disciplinary Case Manager  
Caroline D. Juran, RPh, Executive Director  
Annette Kelley, MS, CSAC, Deputy Executive Director  
Ryan Logan, RPh, Deputy Executive Director  
Beth O’Halloran, RPh, Deputy Executive Director  
Ileita Redd, Disciplinary Specialist  
James Rutkowski, J.D., Assistant Attorney General  
Ellen Shinaberry, PharmD, Deputy Executive Director

**QUORUM:** With seven members of the Board present, a quorum of the board was established.

**PUBLIC COMMENT** Dr. St.Clair invited members of the public to offer comment on the subjects.

Pursuant to article § 54.1-3443(D), the Virginia Department

of Forensic Science (DFS) identified the following five compounds for recommended inclusion into Schedule I of the Drug Control Act.

The following compound is classified as a synthetic opioid. Compounds of this type have been placed in Schedule I (§ 54.1-3446(1)) in previous legislative sessions.

1. N,N-diethyl-2-[5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl]ethanamine (other name: Protonitazene), its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation.

Based on their chemical structures, the following compounds are expected to have hallucinogenic properties. Compounds of this type have been placed in Schedule I (§ 54.1-3446(3)) in previous legislative sessions.

2. 1-(1,3-benzodioxol-5-yl)-2-(cyclohexylamino)butan-1-one (other names: Cybutylone, N-cyclohexyl Butylone), its salts, isomers (optical, position, and geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

Based on its chemical structure, the following compound is expected to have depressant properties. Compounds of this type have been placed in Schedule I (§ 54.1-3446(4)) in previous legislative sessions.

3. 8-bromo-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (other names: Clobromazolam, Phenazolam), its salts, isomers (optical, position, and geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

The following compounds are classified as cannabimimetic agents. Compounds of this type have been placed in Schedule I (§ 54.1-3446(6)) in previous legislative sessions.

4. 5-bromo-N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1H-indazole-3-carboxamide (other name: ADB-

5Br-INACA), its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

5. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-5-bromo-1-butyldiazole-3-carboxamide (other name: ADB-5'Br-BUTINACA), its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

Additionally, pursuant to subsection E of §54.1-3443, the Board identified the following chemicals that were scheduled or de-scheduled federally during 2021 through July 6, 2022:

Needs to be Placed into Schedule I to conform to federal scheduling:

1. 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine (4,4'-Dimethylaminorex, 4,4'-DMAR);
2. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)pyrrolo[2,3-b]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
3. ethyl N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]carbamate (fentanyl carbamate);
4. N-(2-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]prop-2-enamide (ortho-fluoroacryl fentanyl);
5. N-(2-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (ortho-fluoroisobutyryl fentanyl);
6. N-(4-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide (para-fluoro furanyl fentanyl);
7. N-(2-fluorophenyl)-N-[1-[2-(2-fluorophenyl)ethyl]piperidin-4-yl]propanamide (2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl);
8. N-[1-[2-(4-methylphenyl)ethyl]piperidin-4-yl]-N-phenylacetamide (4'-methyl acetyl fentanyl);
9. N,3-diphenyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide ( $\beta'$ -phenyl fentanyl; beta'-phenyl fentanyl; 3-phenylpropanoyl fentanyl);
10. N-phenyl-N-[1-(2-phenylpropyl)piperidin-4-yl]propanamide ( $\beta$ -methyl fentanyl);
11. N-(2-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-

- yl]butanamide (ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl);
12. N-(2-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide (ortho-methyl acetylfentanyl; 2-methyl acetylfentanyl);
  13. 2-methoxy-N-(2-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide (ortho-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl);
  14. N-(4-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (para-methylfentanyl; 4-methylfentanyl);
  15. N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]thiophene-2-carboxamide (thiophene fentanyl);
  16. N-(4-chlorophenyl)-2-methyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (para-chloroisobutyryl fentanyl);
  17. 24. 2-[2-[(4-butoxyphenyl)methyl]-5-nitrobenzimidazol-1-yl]-N,N-diethylethanamine (Butonitazene);
  18. 25. N,N-diethyl-2-[2-[(4-fluorophenyl)methyl]-5-nitrobenzimidazol-1-yl] ethanamine (Flunitazene)

Needs to be Placed into Schedule II to conform to federal scheduling:

1. Oliceridine

Needs to be Exempted from Schedule II to conform to federal scheduling:

1. Removal of Samidorphan

Needs to be Placed into Schedule IV to conform to federal scheduling:

1. Remimazolam
2. Serdexmethylphenidate
3. Lemborexant
4. Daridorexant

Needs to be Placed into Schedule V to conform to federal Scheduling:

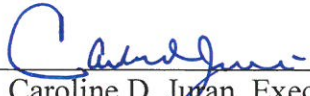
---

1. Ganaxolone

No public comments were offered.

MEETING ADJOURNED

The Public Hearing was adjourned at 9:10am.



Caroline D. Julian, Executive Director

12/6/2022

Date

---