

**PHARMACY BOARD [657]**

**Adopted and Filed**

The Board of Pharmacy hereby amends Chapter 10, “Controlled Substances,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 124.201 and 124.301.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 124.201 and 124.301.

*Purpose and Summary*

The amendment temporarily schedules fentanyl-related products that are not already listed in another schedule as Schedule I controlled substances in response to action taken by the federal Drug Enforcement Administration.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 25, 2018, as **ARC 3758C**. The Board received one comment from the Iowa Pharmacy Association in support of the amendment. The amendment is identical to that contained in the Notice.

*Adoption of Rule Making*

This rule making was adopted by the Board on \_\_\_\_\_, 2018.

*Fiscal Impact*

This rule making has no fiscal impact to the state of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on \_\_\_\_\_, 2018.

The following rule-making action is adopted:

Adopt the following **new** paragraph **10.39(2)“an”**:

*an.* Any fentanyl-related substance that is not currently listed in any schedule of the Controlled Substances Act (CSA) and its isomers, esters, ethers, salts and salts of isomers, esters, and ethers.