APPROVED REGULATION OF THE

STATE BOARD OF PHARMACY

LCB File No. R149-16

Filed February 7, 2020

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[~~omitted material~~]** is material to be omitted.

AUTHORITY: §1, NRS 453.146, 453.2182 and 639.070.

A REGULATION relating to controlled substances; adding brivaracetam to the controlled substances listed in schedule V of the Uniform Controlled Substances Act; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the State Board of Pharmacy is required to administer the Uniform Controlled Substances Act. (NRS 453.011-453.348) Existing law authorizes the Board to adopt regulations to add, delete or reschedule substances listed as controlled substances in schedules I, II, III, IV and V of the Uniform Controlled Substances Act. (NRS 453.146) Existing law also provides that, if a substance is designated, rescheduled or deleted as a controlled substance pursuant to federal law, the Board is required, with certain limited exceptions, to similarly treat the substance under the Uniform Controlled Substances Act within 60 days after the publication in the Federal Register of the final order concerning the federal action. (NRS 453.2182) The Drug Enforcement Administration of the United States Department of Justice placed the substance brivaracetam on schedule V of the federal Controlled Substances Act effective May 12, 2016. (81 Fed. Reg. 29487, 29491 (to be codified at 21 CFR § 1308.15)) This regulation brings the treatment of brivaracetam into conformity with federal regulations by adding it to the

list of controlled substances in schedule V of the schedules of controlled substances set forth in the Uniform Controlled Substances Act.

Section 1. NAC 453.550 is hereby amended to read as follows:

453.550 1. Schedule V consists of the drugs and other substances listed in this section, by whatever official, common, usual, chemical or trade name designated.

2. Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base alkaloid, containing one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone, in quantities:

(a) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

(b) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

(c) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

(d) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(e) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

(f) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

3. Unless specifically excepted or excluded or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pyrovalerone having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers.

4. Unless specifically excepted or excluded or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pregabalin having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers.

5. ***Brivaracetam.***

6. Lacosamide.