



Board:

Allen Amsler, *Chairman*
Ann B. Kirol, DDS, *Vice Chair*
L. Clarence Batts, Jr., *Secretary*

R. Kenyon Wells
Charles M. Joye II, P.E.
David W. Gillespie, MD

**Minutes of the January 30, 2018, Conference Call meeting of the
South Carolina Board of Health and Environmental Control**

The South Carolina Board of Health and Environmental Control met on Tuesday, January 30, 2018, at 10:00 a.m. via Conference Call in the Board Room at the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance by phone:

Allen Amsler, Chairman, Member-at-Large
L. Clarence Batts, Secretary, 4th District
R. Kenyon Wells, 2nd District
Charles M. Joye, II, P.E., 3rd District
David W. Gillespie, MD, 6th District

Not in Attendance

Ann B. Kirol, DDS, Vice-Chair, 5th District

1st District and 7th District seats are currently vacant.

Also in attendance were David E. Wilson, Acting Director; W. Marshall Taylor, Legal Counsel; Lisa Lucas Longshore, Clerk; and Department staff. (Attachment 0-2) The meeting was live streamed on the internet.

Chairman Amsler called the meeting to order and stated notice of this meeting had been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Placement of MT-45 into Schedule I for S.C. Controlled Substances (Attachment 1-1)

Ms. Lisa Thomson, Director, Bureau of Drug Control, presented this item to the Board.

Controlled substances are governed by the S.C. Controlled Substances Act (CSA), found at Title 44, Chapter 53, of the S.C. Code of laws. Schedule I substances are listed in S.C. Code Ann. Section 44-53-190. Pursuant to Section 44-53-160, titled "Manner in which changes in schedule of controlled substances shall be made," controlled substances are generally designated by the General Assembly upon recommendation by DHEC. Section 44-53-160(C) provides a process by which DHEC can expeditiously designate a substance as a controlled substance if the federal government has so designated.

On January 4, 2018, the Administrator of the Drug Enforcement Administration issued a temporary scheduling order to schedule the synthetic opioid, N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (cyclopropyl fentanyl), and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers in schedule I. This action is based on a finding by the Administrator that the placement of cyclopropyl fentanyl in schedule I of the Controlled Substances Act is necessary to avoid an imminent hazard to the public safety. As a result of this order, the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances will be imposed on persons

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who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis, or possess), or propose to handle, cyclopropyl fentanyl. The federal final order became effective January 4, 2018.

With no legitimate medical use, cyclopropyl fentanyl has emerged on the illicit drug market and is being misused and abused for its opioid properties. Cyclopropyl fentanyl exhibits pharmacological profiles similar to that of fentanyl and other [micro]-opioid receptor agonists. The abuse of cyclopropyl fentanyl poses significant adverse health risks when compared to abuse of pharmaceutical preparations of opioid analgesics, such as morphine and oxycodone. The toxic effects of cyclopropyl fentanyl in humans are demonstrated by overdose fatalities involving this substance. Based on information received by the DEA, the misuse and abuse of cyclopropyl fentanyl lead to, at least, the same qualitative public health risks as heroin, fentanyl, and other opioid analgesic substances. As with any non-medically approved opioid agonist, the health and safety risks for users are high. The public health risks attendant to the abuse of heroin and opioid analgesics are well established and have resulted in large numbers of drug treatment admissions, emergency department visits, and fatal overdoses.


The DEA conducted its own review and determined that cyclopropyl fentanyl met the criteria for placement in schedule I of the federal CSA because a review of available data showed it had a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use in treatment under medical supervision.

After discussion, ***Mr. Wells moved, seconded by Dr. Kirol, to designate the additional substances as named in the DEA Rule published in the Federal Register on January 4, 2018, and amend Section 44-53-190 of the S.C. Controlled Substances Act for consistency with the Federal scheduling. The Board voted and Motion carried.*** Designation Order signed by Chairman Amsler (Attachment 5-2)

Being no further business, Chairman Amsler adjourned the meeting.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,


L. Clarence Batts, Jr., Secretary

Minutes approved this 27th day of March 2018.

ATTEST:


David W. Gillespie, M.D.

Attachments

- 0-1 Agenda
- 0-2 Attendance Roster
- 1-1 Placement of cyclopropyl fentanyl into Schedule I for S.C. Controlled Substances
- 1-2 Designation Order for cyclopropyl fentanyl