

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 541
Apr 13, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10237-MG-117C

Short Title: Amendments to Schedule VI of the CSA.

(Public)

Sponsors: Representative Sasser.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING, IN THE ABSENCE OF ANY OBJECTION BY THE COMMISSION
3 FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE
4 ABUSE SERVICES, FOR THE AUTOMATIC REMOVAL FROM SCHEDULE VI OF
5 THE CONTROLLED SUBSTANCES ACT PRESCRIPTION DRUGS APPROVED BY
6 THE FEDERAL FOOD AND DRUG ADMINISTRATION.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 90-94 reads as rewritten:

9 "§ 90-94. Schedule VI controlled substances.

10 (a) This schedule includes the controlled substances listed or to be listed by whatever
11 official name, common or usual name, chemical name, or trade name designated. In determining
12 that such substance comes within this schedule, the Commission shall find: no currently accepted
13 medical use in the United States, or a relatively low potential for abuse in terms of risk to public
14 health and potential to produce psychic or physiological dependence liability based upon present
15 medical knowledge, or a need for further and continuing study to develop scientific evidence of
16 its pharmacological effects.

17 (b) The following controlled substances are included in this schedule:

18 (1) Marijuana.

19 (2) Tetrahydrocannabinols.

20 (3) Repealed by Session Laws 2017-115, s. 8, effective December 1, 2017, and
21 applicable to offenses committed on or after that date.

22 (c) Notwithstanding the provisions of this section, any prescription drug approved by the
23 federal Food and Drug Administration under section 505 of the federal Food, Drug, and Cosmetic
24 Act that is designated, rescheduled, or deleted as a controlled substance under federal law by the
25 United States Drug Enforcement Administration shall be excluded from Schedule VI and may
26 be prescribed, distributed, dispensed, and used in accordance with federal law upon the issuance
27 of a notice, final rule, or interim final rule by the United States Drug Enforcement Administration
28 that designates, reschedules, or deletes such prescription drug as a controlled substance under
29 federal law, unless the Commission objects to such action as provided under G.S. 90-88(d). If
30 the Commission does not object as provided under G.S. 90-88(d), the prescription drug shall be
31 deemed to be designated, rescheduled, or deleted as a controlled substance in accordance with
32 federal law and in compliance with this Chapter."

33 SECTION 2. This act is effective when it becomes law and applies to prescription
34 drugs approved by the federal Food and Drug Administration on or after that date.



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