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GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
Narcotics Enforcement Division

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No. \_\_\_\_\_

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February 24, 2015

## NOTICE OF FEDERAL SCHEDULING ACTIONS

Section 329-11(d) states that if a substance is added, deleted or rescheduled under federal law and notice of the designation is given to the department then the department shall recommend to the legislature that a corresponding change in Hawaii law be made. The Department was given notice that the following narcotic drug was removed from the Federal Controlled Substance Act by the Federal Government:

**naloxegol ((5[alpha],6[alpha])- 17-allyl-6-((20-hydroxy-3,6,9,12,15,18-hexaoxaicos-1-yl)oxy)-4,5-epoxymorphinon-3,14-diol) including its salts, isomers, and salts of isomers.**

On January 23, 2015, the Department was given notice that removes naloxegol ((5[alpha],6[alpha])- 17-allyl-6-((20-hydroxy-3,6,9,12,15,18-hexaoxaicos-1-yl)oxy)-4,5-epoxymorphinon-3,14-diol) and its salts from the schedules of the Controlled Substances Act (CSA). This scheduling action is pursuant to the CSA which requires that such actions be made on the record after opportunity for a hearing through formal rulemaking. Prior to the effective date of this rule, naloxegol was a schedule II controlled substance because it can be derived from opium alkaloids. This action removes the regulatory controls and administrative, civil, and criminal sanctions applicable to controlled substances, including those specific to schedule II controlled substances, on persons who handle (manufacture, distribute, reverse distribute, dispense, conduct research, import, export, or conduct chemical analysis) or propose to handle naloxegol. The DEA placed an effective date of January 23, 2015 on this descheduling action.

Section 329-16, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxegol, naloxone, and naltrexone, and their respective salts, but including the following:

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- (A) Raw opium;
  - (B) Opium extracts;
  - (C) Opium fluid;
  - (D) Powdered opium;
  - (E) Granulated opium;
  - (F) Codeine;
  - (G) Ethylmorphine;
  - (H) Etorphine hydrochloride;
  - (I) Hydrocodone;
  - (J) Hydromorphone;
  - (K) Metopon;
  - (L) Morphine;
  - (M) Oxycodone;
  - (N) Oxymorphone;
  - (O) Thebaine;
  - (P) Dihydroetorphine;
  - (Q) Oripavine; and
  - (R) Tincture of opium;
- (2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;
  - (3) Opium poppy and poppy straw;
  - (4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocanized coca leaves or extractions which do not contain cocaine or ecgonine; cocaine or any salt or isomer thereof; and
  - (5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form that contains the phenanthrene alkaloids of the opium poppy)."

This descheduling action shall be effective as of February 24, 2014 as required under Section 329-11(d) HRS.