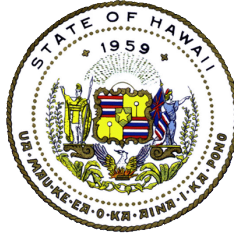


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No. Posted at the Office of
the Lieutenant Governor
on October,
2020

October 15, 2020

EMERGENCY CONTROLLED SUBSTANCE SCHEDULING ACTION

Section 329-11(e) of the Hawaii Revised Statutes authorizes the Administrator of the Department of Public Safety, Narcotics Enforcement Division (NED), to make an emergency scheduling by placing a substance into schedules I, II, action is necessary to avoid an imminent hazard or the possibility of an imminent hazard to the health and safety of the public. The Department shall post a public notice thirty days prior to the effective date of the emergency scheduling action, at the State Capitol, in the Office of the Lieutenant Governor, and on the Department's website for public inspection. If a substance is added or rescheduled under this subsection, the control shall be temporary and, if the next regular session of the State Legislature has not enacted the corresponding changes in this chapter, the temporary designation of the added or rescheduled substance shall be nullified.

Etizolam
Flualprazolam

Etizolam is a thienodiazepine and Flualprazolam is a triazolo-benzodiazepine. Both are chemically related to a class of substances known as benzodiazepines. Benzodiazepines produce central nervous system (CNS) depression and are commonly used to treat insomnia and anxiety.

Both Etizolam and Flualprazolam are usually encountered in powder or in tablet form. Etizolam has also been encountered spiked onto blotter paper.

Flualprazolam has known pharmacological effects similar to Alprazolam (brand names: Xanax and Niravam), a controlled substance in the United States. Flualprazolam is considered a 'novel' or 'designer' benzodiazepine and was first patented in the 1970's but was never marketed. Pharmacological data demonstrates that Flualprazolam has a greater potency than alprazolam with relatively short onset of action. Flualprazolam has been associated with at least 44 postmortem (PM) death investigations and driving under the influence of drugs investigations in the United States in between June and December 2019.

Etizolam has pharmacological effects similar to diazepam (brand name Valium) with 6-10 times greater hypnotic effects. Etizolam was found to have contributed to 548 overdose deaths in Scotland in 2018.

Both Etizolam and Flualprazolam have been sold over the internet a 'research chemical' with discussions on online forums indicating that some people consume these substances for its psychoactive benzodiazepine sedative -type effects. The National Institute of Health reports that 30% of all overdoses involving opioids also involve a benzodiazepine. Etizolam was introduced in 1983 in Japan as treatment for neurological conditions such as anxiety and sleep disorders, it is legally marketed in Japan, Italy and India. However, both Etizolam and Flualprazolam are not approved for medical use in the U.S.

Both are not controlled under the U.S. Controlled Substance Act, but several states have emergency scheduled and/or legislatively controlled these substances because of their illicit use and potential for abuse. Etizolam is scheduled in several states including Alabama, Arkansas, Georgia, Kansas, Louisiana, Mississippi, and Virginia. Flualprazolam has been scheduled in Louisiana and Virginia.

In Hawaii, there have been multiple law enforcement seizures from illicit drug investigations that have been confirmed by forensic laboratories to contain Etizolam or Flualprazolam.

The Narcotics Enforcement Division is not aware of any currently accepted medical uses for Etizolam or Flualprazolam in the United States.

The Administrator of the Narcotics Enforcement Division has reviewed reference material and literature related to the emergency scheduling of this substance. The Administrator has determined that due to reports of its international abuse, associated fatalities and its discovery in Hawaii, that placing Etizolam and Flualprazolam into schedule I of the Hawaii Revised Statutes is necessary to avoid an imminent hazard or the possibility of an imminent hazard to the health and safety of the public.

Consequently, in accordance with provisions set forth in Section 329-11(e) of the Hawaii Revised Statutes, the Administrator of the Narcotics Enforcement Division is emergency scheduling Etizolam and Flualprazolam, including its optical, positional, and geometric isomers, salts and salts of isomers, where possible.

In accordance with provisions set forth in Section 329-11(e) of the Hawaii Revised Statutes, Emergency Scheduling Authority the Administrator of the Narcotics Enforcement Division is emergency scheduling the aforementioned substance. Consequently:

Section 329-14, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

(e) Depressants. Unless specifically excepted, the schedule shall include any material, compound, mixture, or preparation which contains any quantity of the substance:

(1) Mecloqualone; or

(2) Methaqualone;

(3) Etizolam (including its optical, positional, and geometric isomers, salts and salts of isomers, where possible); and

(4) Flualprazolam (including its optical, positional, and geometric isomers, salts and salts of isomers, where possible).

This emergency controlled substance scheduling is done under the authority of the Administrator of the State of Hawaii, Department of Public Safety, Narcotics Enforcement Division and shall take effect on November 15, 2020 as required under Section 329-11(e) Hawaii Revised Statutes.

Jared K. Redulla
Narcotics Enforcement Administrator
State of Hawaii
Department of Public Safety

¹ DEA Diversion Control Division, Drug & Chemical Evaluation Section. Oct 2018. Etizolam.

² Lowther, Ed and Brocklehurst Steven. July 16, 2019. Scotland's drug death crisis in six charts. BBC News

³ Center for Forensic Science Research and Education (CFSRE). December 2019. Flualprazolam: Potent Benzodiazepine Identified Among Death and Impaired Driving Cases in the U.S. NPS Gateway.

⁴Federal Register-Notices. Docket FDA-2019-N-3938.

⁵ National Institute of Drug Abuse. Revised March 2018. <https://www.drugabuse.gov/drugs-abuse/opioids/benzodiazepines-opioids>.

⁶ World Health Organization. Oct. 2019. Critical Review Report: Etizolam

⁷ World Health Organization. Oct. 2019. Critical Review Report: Flualprazolam