

DEPARTMENT OF HEALTH
NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in section 2(a) of the "District of Columbia Uniform Controlled Substances Amendment Act of 1998", effective July 24, 1998 (D.C. Law 12-136; D.C. Official Code §48-902.01) ("Act"), and Mayor's Order 98-49, dated April 15, 1998, hereby gives notice of the adoption of the following amendments to Chapter 12 of Title 22 of the District of Columbia Municipal Regulations (DCMR). The amendments to the Schedule of Controlled Substances will add Gamma-Hydroxybutyric Acid (GHB) [other names include "gamma-hydroxybutyrate"; "4-hydroxybutyrate"; "4-hydroxybutanoic acid"; "sodium oxybate"; and "sodium oxybutyrate"] to Schedule I; add any drug product containing Gamma-Hydroxybutyric Acid, including its salts, isomers, and salts of isomers to Schedule III; reschedule Buprenorphine, marketed as Subutex® and Suboxone®, from Schedule V to Schedule III; and correct errors and reformat the listing of some substances in 22 DCMR Chapter 12. All of the enumerated scheduling of controlled substances are included in this rulemaking to provide the public with a single reference to the regulatory provisions governing controlled substances in the District as required by D.C. Official Code §48-902.01. The sections affected by this rulemaking are highlighted in boldface type.

A Notice of Emergency and Proposed Rulemaking was published in the D.C. Register on December 5, 2003, at 50 DCR 10421.

No comments were received and no changes were made to the Notice of Emergency and Proposed Rulemaking published in the D.C. Register on December 5, 2003, at 50 DCR 10421. These rules take effect immediately upon publication of this notice in the D.C. Register.

Chapter 12 of Title 22 of the DCMR is amended to read as follows:

CHAPTER 12

CONTROLLED SUBSTANCES ACT RULES

1200 PURPOSE

1200.1 This chapter shall comprise all the enumerated schedules of controlled substances under the District of Columbia Uniform Controlled Substances Act of 1981 (Act), effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code §48-902.01), and all final rulemakings made by the Mayor or designee which add, delete, or reschedule a controlled substance under the authority of section 201 of the Act (D.C. Official Code §48-902.01).

