



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

DAVID L. LAKEY, M.D.
COMMISSIONER

P.O. Box 149347
Austin, Texas 78714-9347
1-888-963-7111
TTY: 1-800-735-2989
www.dshs.state.tx.us

Senate Bill 904, passed by the 81st Texas Legislature amends Health and Safety Code, Chapter 481, the Texas Controlled Substances Act (CSA), adding new Section 481.037 which places carisoprodol into Schedule IV of the CSA. This notice of amendment documents the addition of carisoprodol to Schedule IV.

The Deputy Administrator of the Drug Enforcement Administration (DEA) placed the substance tapentadol into Schedule II of the United States Controlled Substance Act (USCSA) and lacosamide [(*R*)-2-acetoamido-*N*-benzyl-3-methoxy-propionamide] into Schedule V of the USCA effective June 22, 2009. This final rule was published in the Federal Register, Volume 74, Number 97, pages 23789-23793. The Deputy Administrator of the DEA based these actions on the following:

- (1) Tapentadol has a high potential for abuse;
- (2) Tapentadol has a currently accepted medical use in treatment in the United States;
and
- (3) Abuse of tapentadol may lead to severe psychological or physical dependence.
- (4) Lacosamide has a low potential for abuse relative to the drugs or other substances in Schedule IV;
- (5) Lacosamide has a currently accepted medical use in treatment in the United States,
and
- (6) Abuse of lacosamide may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced action was published in the Federal Register; and, in my capacity as Commissioner of the Texas Department of State Health Services, I do hereby order that the

An Equal Employment Opportunity Employer and Provider

substance tapentadol be added to Schedule II and lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] be added to Schedule V of the Texas Controlled Substances Act. Additionally, carisoprodol is added to Schedule IV to reflect the enactment of Section 481.037 of the Texas Health and Safety Code. Schedule II, Schedule IV and Schedule V of the Texas Controlled Substances Act are hereby amended to read as follows:

SCHEDULE II

Schedule II consists of:

- Schedule II substances, vegetable origin or chemical synthesis

* * *

- Opiates

The following opiates, including their isomers, esters, ethers, salts, and salts of isomers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Alfentanil;
- (2) Alphaprodine;
- (3) Anileridine;
- (4) Bezitramide;
- (5) Carfentanil;
- (6) Dextropropoxyphene, bulk (nondosage form);
- (7) Dihydrocodeine;
- (8) Diphenoxylate;
- (9) Fentanyl;
- (10) Isomethadone;
- (11) Levo-alpha-acetylmethadol (some trade or other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
- (12) Levomethorphan;
- (13) Levorphanol;
- (14) Metazocine;
- (15) Methadone;
- (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;
- (17) Moramide-Intermediate, 2-methyl-3-morpholino-1,1-diphenyl-propane-carboxylic acid;
- (18) Pethidine (meperidine);
- (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

- (20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- (21) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (22) Phenazocine;
- (23) Piminodine;
- (24) Racemethorphan;
- (25) Racemorphan;
- (26) Remifentanil; and
- (27) Sufentanil.
- (28) Tapentadol*

- Schedule II stimulants

* * *

- Schedule II depressants

* * *

- Schedule II hallucinogenic substances

* * *

SCHEDULE IV

Schedule IV consists of:

- Schedule IV depressants

* * *

- Schedule IV stimulants

* * *

- Schedule IV narcotics

* * *

- Schedule IV other substances

Unless specifically excepted or unless listed in another schedule, a material, compound, substance's salts:

- (1) Butorphanol, including its optical isomers; and
- (2) Pentazocine, its salts, derivatives, compounds, or mixtures
- (3) Carisoprodol *

SCHEDULE V

Schedule V consists of:

- Schedule V narcotics containing non-narcotic active medicinal ingredients

* * *

- Schedule V stimulants

* * *

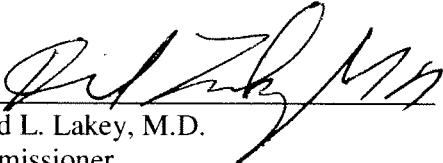
- Schedule V depressants

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- (1) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide]*
- (2) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]

Changes to the Schedules are designated by an asterisk (*)

Done in Austin, Texas this 2nd day of July, 2009 in witness whereof I hereunto set my hand and seal of office.



David L. Lakey, M.D.
Commissioner