

**VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
MARCH 8, 2024**

PRESENT: Subhadeep Barman, Yvonne Bellay, Alan Bloom, Cullen Eberhardy, Doug Englebert, Amanda Kane, Gregory Schmeling, John Weitekamp

EXCUSED: David Gundersen

STAFF: Tom Ryan, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Dialah Azam, Board Administration Specialist; and other DSPS Staff

Troy Alton served as the Dentistry Examining Board Representative at this meeting.

CALL TO ORDER

Doug Englebert, Chairperson, called the meeting to order at 10:00 a.m. A quorum was confirmed with nine (9) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- **CHANGE** Dentistry Examining Board Representative from Troy Alton to David Gundersen
- **CHANGE** Dentistry Examining Board Alternate Representative from Matthew Bistan to Troy Alton

MOTION: Alan Bloom moved, seconded by Troy Alton, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 19, 2024

MOTION: Cullen Eberhardy moved, seconded by Troy Alton, to adopt the Minutes of January 19, 2024 as published. Motion carried unanimously.

**10:00 A.M. PUBLIC HEARING FOR CLEARINGHOUSE RULE 24-013 ON CSB-4,
RELATING TO NATIONAL PROVIDER IDENTIFIER REQUIREMENT**

Review Public Hearing Comments and Respond to Clearinghouse Report

MOTION: Yvonne Bellay moved, seconded by Troy Alton, to authorize the Chairperson (or other member) to work with DSPS staff on responding to the Clearinghouse Report and drafting the Final Rule and Legislative Report for Clearinghouse Rule 24-013 (CSB 4), Relating to National Provider Identifier Requirement. Motion carried unanimously.

10:00 A.M. PRELIMINARY HEARING ON STATEMENT OF SCOPE – SS 022-24 ON CSB-4, RELATING TO MAIL DELIVERED PRESCRIPTION

Review Preliminary Hearing Comments

MOTION: Alan Bloom moved, seconded by John Weitekamp, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 022-24 on CSB 4, relating to Mail Delivered Prescriptions. Additionally, after consideration of all public comments and feedback, the Board approves SS 022-24 for implementation. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Scope Statement

CSB 2.004, Relating to Scheduling Zuranolone

CSB 2.005, Relating to Scheduling Nine Fentanyl Analogs

CSB 2.006, Relating to Scheduling Five Synthetic Cannabinoids

MOTION: Subhadeep Barman moved, seconded by Troy Alton, to approve the following Scope Statements for submission to the Department of Administration and Governor's Office and for publication:

- CSB 2.004, Relating to Scheduling Zuranolone
- CSB 2.005, Relating to Scheduling Nine Fentanyl Analogs
- CSB 2.006, Relating to Scheduling Five Synthetic Cannabinoids

Additionally, the Board authorizes the Chairperson to approve these Scope Statements for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on these Scope Statements, the Chairperson is authorized to approve the required notices of hearing. Motion carried unanimously.

Preliminary Rule Draft

CSB 2.003, Relating to Five Synthetic Benzodiazepine Substances

MOTION: Subhadeep Barman moved, seconded by Alan Bloom, to approve the preliminary rule draft of CSB 2.003, Relating to Five Synthetic Benzodiazepine Substances, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Final Rule Draft***CSB 2.98, Relating to Excluding [18 F]FP-CIT******CSB 2.99, Relating to Scheduling Mesocarb***

MOTION: Troy Alton moved, seconded by Subhadeep Barman, to approve the Legislative Report and Draft for the following rules for submission to the Governor's Office and Legislature:

- Clearinghouse Rule 24-004 on CSB 2.98, Relating to Excluding [18 F]FP-CIT
- Clearinghouse Rule 24-005 on CSB 2.99, Relating to Scheduling Mesocarb

Motion carried unanimously.

Adoption Order***CSB 2.92, Relating to Scheduling 35 Anabolic Steroids******CSB 2.93, Relating to Scheduling Daridorexant******CSB 2.94, Relating to Scheduling Seven Synthetic Benzimidazole-Opioids******CSB 2.95, Relating to Scheduling Ganaxolone***

MOTION: Subhadeep Barman moved, seconded by Amanda Kane, to approve the Adoption Orders for the following rules:

- CSB 2.92, Relating to Scheduling 35 Anabolic Steroids
- CSB 2.93, Relating to Scheduling Daridorexant
- CSB 2.94, Relating to Scheduling Seven Synthetic Benzimidazole-Opioids
- CSB 2.95, Relating to Scheduling Ganaxolone

Motion carried unanimously.

REPORT FROM THE REFERRAL CRITERIA WORK GROUP

MOTION: Troy Alton moved, seconded by Amanda Kane, to accept the recommendations of the Referral Criteria Work Group and refer the specified providers to the appropriate professional boards for further action. Motion carried unanimously.

ADJOURNMENT

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:40 a.m.