



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

UTAH DEPARTMENT OF COMMERCE

Division of Professional Licensing

MARGARET W. BUSSE
Executive Director

MARK B. STEINAGEL
Division Director

Health and Human Services Interim Committee
Office of Legislative Research and General Counsel
W210 State Capitol Complex
Salt Lake City, Utah 84114

SUBJECT: Controlled Substances Advisory Committee—2024 Legislative Recommendations

Dear Members of the Health and Human Services (HHS) Interim Committee:

Utah Code Title 58, Chapter 38a, created the Controlled Substances Advisory Committee (CSAC). The CSAC is a consultative and advisory body to the Legislature. The CSAC advises the Legislature on the following matters: (a) the movement of a controlled substance from one schedule to another; (b) the removal of a controlled substance from any schedule; and (c) the designation of a substance as a controlled substance and the placement of the substance in a designated schedule.

The Committee is required to submit a written report to the Health and Human Services Interim Committee. The report must enumerate any substances that the Committee recommends the Legislature schedule, reschedule, or delete from the schedules.

During the CSAC meetings this year, the committee evaluated and discussed issues related to the use and misuse of recreational drugs and legend drugs. Recreational drugs are substances not currently regulated by the Controlled Substances Act (CSA) but are potentially dangerous to the health and well-being of the public. Legend drugs are approved prescription-only drugs that potentially merit inclusion in a designated schedule in the CSA due to new evidence of health risks to the people of the State of Utah. The committee's discussion included issues related to the use and misuse of Ketamine. Ketamine is a schedule III controlled substance with FDA approval as an anesthetic. Off-label use of ketamine includes for the management of psychiatric illnesses including depression, anxiety, post-traumatic stress disorder, and chronic pain. In addition, Ketamine is being marketed for a wide range of uses including Lyme disease, alcoholism and as an opioid treatment.

During the CSAC meetings this year, the committee evaluated and deliberated on issues related to the use and misuse of recreational drugs and legend drugs. The committee discussed an increase of ketamine cases within the poison control center, with indications that the majority of the drugs are compounded.

The 2023 recommendations of CSAC to schedule gabapentin in Utah led to legislation that made gabapentin a schedule V in Utah effective 05/01/2024. The committee will monitor prescribing patterns that may have been impacted and report as more data are collected by the CSD.

In accordance with Utah Code Annotated (UCA) 58-38a-203(3), the CSAC is charged by the Legislature to evaluate substances and make recommendations based on the following criteria:

- Actual or probable abuse of the substance, including:
 - History and current pattern of abuse in Utah and other states
 - Scope, duration, and significance of abuse
 - Degree of actual or probable detriment to public health, which may result from abuse of the substance
 - Probable physical and social impact of widespread abuse of the substance
- Biomedical hazard of the substance, including:
 - Pharmacology, including the effects and modifiers of the effects
 - Toxicology – acute and chronic toxicity
 - Risk to public health
- Whether the substance is an immediate precursor to a substance that is currently controlled
- Current state of scientific knowledge regarding the substance, including whether any acceptable means to safely use the substance under medical supervision
- Relationship between use of the substance and criminal activity
- Whether the substance has been scheduled by any other states
- Whether the substance has any accepted medical use in the United States

For the 2025 legislative session, the CSAC recommends no changes to the Utah Controlled Substance Act. However, the CSAC will continue to monitor ketamine use patterns, including powder ketamine, xylazine, bromazolam, and further discuss Tianeptine and Phenibut.

Respectfully Submitted,

The Controlled Substances Advisory Committee

Yoon Kim-Butterfield, MD, Committee Chair

Erik D. Christensen, MD

Amberly Johnson, PharmD

Christopher Sheard, PharmD

Ruediger Tillman, DDS

Marc C.S. Mathis, JD

Erica Baiden, MD

Jimmy Higgs

Kate Barton Miyagi, ND

Julie Balk, DNP, APRN

Maury Giles (public member)

Craig William Davis, MD

Katherine Carlson, MD

Jennifer McNair, BS

Jim Garfield, Committee Bureau Manager

Tina Marshall, Committee Secretary