



SPENCER J. COX  
*Governor*



MARGARET W. BUSSE  
*Executive Director*

MARK STEINAGEL  
*Division Director*

DEIDRE M. HENDERSON  
*Lieutenant Governor*

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—2025 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 this year included issues related to Gabapentin, in particular as it relates to misuse and increasing numbers of fatal overdose. Other discussions related to legislation including HB173, HB87, SB120, and HB357.

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 fenfluramine (an anti-seizure medication), which was descheduled at the federal level by the DEA in 2023, but remains a scheduled drug in Utah. Due to potential misuse and toxicity, the Committee voted to keep the medication scheduled.

The 2024 legislative letter noted tianeptine and phenibut as drugs to discuss during the upcoming year. During the 2025 legislative session, HB173 added these two drugs to Schedule I of the controlled substance list. The committee will continue to 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:
  - o History and current pattern of abuse in Utah and other states
  - o Scope, duration, and significance of abuse
  - o Degree of actual or probable detriment to public health, which may result from abuse of the substance
  - o Probable physical and social impact of widespread abuse of the substance
- Biomedical hazard of the substance, including:
  - o Pharmacology, including the effects and modifiers of the effects
  - o Toxicology – acute and chronic toxicity
  - o 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 2026 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, as well as gabapentin, xylazine, bromazolam, amphetamines, and fentanyl use.

Respectfully Submitted,

**The Controlled Substances Advisory Committee**

Stacey Bank, MD, Committee Chair

Amberly Johnson, PharmD

Christopher Sheard, PharmD

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

Steven Arnold, DDS

Jennifer McNair, BS

Megan Martin

Benjamin Murie, DO

Jim Garfield, Committee Bureau Manager

Tina Marshall, Committee Secretary