

G.S. 150B-21.3A Report for Report for 10A NCAC SUBCHAPTER 26F – CONTROLLED SUBSTANCES

Agency - DHHS - Commission for Mental Health, Developmental Disabilities and Substance Abuse Services

Comment Period - September 12, 2015 - November 11, 2015

Date Submitted to APO - January 25, 2016

| Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|-----------------------------------------------------------|--------------------|--------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------|-----------------------------------|--------------------------------------------|------------------------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------|
| SECTION .0100 - SCHEDULES OF CONTROLLED SUBSTANCES | 10A NCAC 26F .0101 | DEFINITIONS | Amended Eff. September 1, 1998 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0102 | SCHEDULE I | Amended Eff. November 1, 2005 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.11 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0103 | SCHEDULE II | Amended Eff. February 1, 2010 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21CFR .1308.12 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0104 | SCHEDULE III | Amended Eff. July 1, 2011 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.13 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0105 | SCHEDULE IV | Amended Eff. July 1, 2012 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.14 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0106 | SCHEDULE V | Amended Eff. July 1, 2012 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.15 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0107 | SCHEDULE VI | Eff. June 30, 1978 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0108 | APPLICATION FOR EXCLUSION OF NONNARCOTIC SUBSTANCE | Amended Eff. May 1, 1990 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.21 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0109 | EXCLUDED SUBSTANCES | Amended Eff. September 30, 1978 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 USC 811(G)(1); 21 CFR .1308.22 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0110 | APPLICATION FOR EXEMPT CHEMICAL PREPARATIONS | Amended Eff. May 1, 1990 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.23 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0111 | EXEMPT CHEMICAL PREPARATIONS | Amended Eff. May 1, 1990 | Necessary without substantive public interest | Yes If yes, include the citation to the federal law | 21 CFR .1308.24 | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0112 | APPLICATION FOR EXCEPTION OF A STIMULANT OR DEPRESSANT | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0113 | EXCEPTED COMPOUNDS | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0114 | HEARINGS GENERALLY | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0115 | PURPOSE OF HEARING | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

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| | 10A NCAC 26F .0116 | WAIVER OR MODIFICATION OF RULES | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0117 | ADDITION: DELETION OR RESCHEDULING OF A SUBSTANCE | Amended Eff. April 1, 1982 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0118 | BURDEN OF PROOF | Eff. June 30, 1978 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0119 | TIME AND PLACE OF HEARING | Eff. June 30, 1978 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0120 | FINAL ORDER | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0121 | MEETING REQUIRED | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | 10A NCAC 26F .0122 | HEARING PROCEDURE | Amended Eff. May 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |