

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

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

Comment Period - September 16, 2025 - November 15, 2025

Date Submitted to APO - January 30, 2026

Subchapter	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
SUBCHAPTER 26F - CONTROLLED SUBSTANCES	SECTION .0100 SCHEDULES OF CONTROLLED SUBSTANCES	10A NCAC 26F .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1300.01	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0102	SCHEDULE I	Amended Eff. December 1, 2021	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.11	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0103	SCHEDULE II	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0104	SCHEDULE III	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0105	SCHEDULE IV	Amended Eff. December 1, 2021	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.14	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0106	SCHEDULE V	Amended Eff. December 1, 2021	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.15	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0107	SCHEDULE VI	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0108	APPLICATION FOR EXCLUSION OF NONNARCOTIC SUBSTANCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1308.21	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0109	EXCLUDED SUBSTANCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1308.22	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0110	APPLICATION FOR EXEMPT CHEMICAL PREPARATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1308.23	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0111	EXEMPT CHEMICAL PREPARATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1308.24	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0112	APPLICATION FOR EXCEPTION OF A STIMULANT OR DEPRESSANT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.31	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0113	EXCEPTED COMPOUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR 1308.32	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0114	HEARINGS GENERALLY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0115	PURPOSE OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0116	WAIVER OR MODIFICATION OF RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1316.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0117	ADDITION: DELETION OR RESCHEDULING OF A SUBSTANCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.43	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0118	BURDEN OF PROOF	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1316.56	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0119	TIME AND PLACE OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1316.53	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 26F .0120	FINAL ORDER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	Yes If yes, include the citation to the federal law	21 CFR Part 1308.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0121	MEETING REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26F .0122	HEARING PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt