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**Department of State Health Services**

**Amendment to the Texas Schedules of Controlled Substances**

This amendment to the Texas Schedules of Controlled Substances was signed by David L. Lakey, M.D., Commissioner of the Department of State Health Services, on December 1, 2014, and will take effect 21 days following publication of this notice in the *Texas Register*.

Changes to the schedules are designated by an asterisk (\*). Additional information can be obtained by contacting the Department of State Health Services, Drugs and Medical Devices Group, P.O. Box 149347, Austin, Texas 78714-9347. The telephone number is (512) 834-6755 and the website address is <http://www.dshs.state.tx.us/dmd>.

The Administrator of the Drug Enforcement Administration (DEA) issued a final rule rescheduling hydrocodone combination products from Schedule III to Schedule II of the United States Controlled Substances Act effective October 6, 2014. This final rule was published in the *Federal Register*, Volume 79, Number 163, pages 49661-49682. The Administrator has taken action based on the following.

1. Hydrocodone combination products have a high potential for abuse. The abuse potential of hydrocodone combination products is comparable to the schedule II controlled substance oxycodone;
2. Hydrocodone combination products have a currently accepted medical use in treatment in the United States. Several pharmaceutical products containing hydrocodone in combination with acetaminophen, aspirin, other non-steroidal anti-inflammatory drugs, and homatropine are approved by the Food and Drug Administration for use as analgesics for pain relief and symptomatic relief of cough and upper respiratory symptoms associate with allergies and colds; and,
3. Abuse of hydrocodone combination products may lead to severe psychological or physical dependence.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*; and, in my capacity as Commissioner of the Texas Department of State Health Services, I do hereby order that hydrocodone combination products be rescheduled from schedule III to schedule II.

**SCHEDULE III**

Schedule III consists of:

Schedule III depressants

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Schedule III narcotics

Unless specifically excepted or unless listed in another schedule:

- (1) a material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any of their salts:

(1-1) not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(1-2) not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

\*[(1-3) not more than 300 milligrams of dihydrocodeinone (hydrocodone); or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;]

\*[(1-4) not more than 300 milligrams of dihydrocodeinone (hydrocodone); or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;]

(1-3) not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(1-4) not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts;

(1-5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; and

(1-6) not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(2) any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts:

(2-1) Buprenorphine.

- Schedule III stimulants

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- Schedule III anabolic steroids and hormones

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- Schedule III hallucinogenic substances

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Department of State Health Services

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Licensing Actions for Radioactive Materials