

113TH CONGRESS
1ST SESSION

H. R. 1285

To amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2013

Mr. BUCHANAN (for himself, Mr. MARKEY, Mrs. CAPITO, Mr. DIAZ-BALART, Mr. DUNCAN of Tennessee, Mr. MICA, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROONEY, Ms. ROS-LEHTINEN, Ms. BROWN of Florida, Mr. COOPER, Ms. EDWARDS, Mr. HASTINGS of Florida, Mr. KEATING, Mr. LYNCH, Mr. RAHALL, Ms. WILSON of Florida, Mr. KENNEDY, Mr. MURPHY of Florida, Ms. CASTOR of Florida, Mr. DESJARLAIS, Mr. FINCHER, Mr. MILLER of Florida, Mr. NUGENT, Mr. TIBERI, Mr. ISSA, Mr. DEUTCH, Mr. POSEY, Mrs. BLACK, Mr. PEARCE, Mr. MARINO, Ms. SLAUGHTER, Mr. WESTMORELAND, Mr. STIVERS, Mr. BENISHEK, Mr. CRENSHAW, Mr. ROSS, Mr. HIGGINS, Mr. SOUTHERLAND, Mr. TIPTON, Mr. SHUSTER, Mrs. MILLER of Michigan, Mr. RODNEY DAVIS of Illinois, and Mr. SCHOCK) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. HYDROCODONE AMENDMENT.**

2 (a) IN GENERAL.—Schedule III(d) in section 202 of
3 the Controlled Substances Act (21 U.S.C. 812) is amend-
4 ed by—

5 (1) striking paragraphs (3) and (4); and

6 (2) redesignating paragraphs (5), (6), (7), and
7 (8) as paragraphs (3), (4), (5), and (6), respectively.

8 (b) EFFECTIVE DATE.—The amendments made by
9 subsection (a) shall take effect on the date that is 6
10 months after the date of enactment of this Act.

11 **SEC. 2. PHYSICAL SECURITY REQUIREMENTS.**

12 Notwithstanding the amendments made by section 1,
13 the Attorney General shall immediately, without regard to
14 chapter 5 of title 5, United States Code, amend section
15 1301.72 of title 21, Code of Federal Regulations, relating
16 to the physical security controls for non-practitioners, nar-
17 cotic treatment programs and compounders for narcotic
18 treatment programs, and storage areas for controlled sub-
19 stances, to allow, for the 3-year period beginning on the
20 date of enactment of this Act, manufacturers and distribu-
21 tors to store hydrocodone compound products in accord-
22 ance with the physical security requirements for schedule
23 III, IV, and V controlled substances.

24 **SEC. 3. GAO REPORT.**

25 (a) IN GENERAL.—Not later than 18 months after
26 the date of enactment of this Act, the Comptroller General

1 of the United States shall submit to Congress a report
2 on the reclassification of hydrocodone products under this
3 Act.

4 (b) CONTENTS.—The report required under sub-
5 section (a) shall include—

6 (1) an assessment of the degree to which the
7 reclassification of hydrocodone products under this
8 Act impacts the ability of patients with legitimate
9 medical needs, particularly those in rural areas and
10 nursing home facilities, to access adequate pain
11 management; and

12 (2) recommendations necessary to address
13 issues, if any, relating to patient access to adequate
14 pain management.

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