



Certification Page Regular and Emergency Rules

Revised September 2016

Emergency Rules *(After completing all of Sections 1 through 3, proceed to Section 5 below)*

Regular Rules

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Enrolled Act Numbers and Years Enacted:

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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3. State Government Notice of Intended Rulemaking

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were: - 02/22/2017
- 02/23/2017
- 02/22/2017

- approved as to form by the Registrar of Rules; and
- provided to the Legislative Service Office and Attorney General:

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

5. Final Filing of Rules

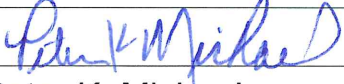
a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: April 27, 2017

b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office: May 3, 2017

c. The Statement of Reasons is attached to this certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	Peter K. Michael
Signatory Title	Commissioner of Drugs and Substances Control
Date of Signature	May 2, 2017

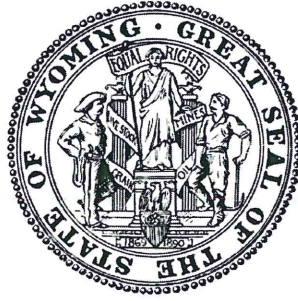
7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	



Office of the Attorney General

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Matthew H. Mead

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Chief Deputy Attorney General
John G. Knepper


Attorney General
Peter K. Michael

Division Deputy
David L. Delicath

MEMORANDUM

DATE: May 2, 2017

TO: Interested Parties

FROM: Peter K. Michael, Wyoming Attorney General 

SUBJECT: Statement of Principal Reasons for Rules Adoption

The Commissioner of Drugs and Substance Control is adding three synthetic opioids to Schedule I (Wyo. Stat. Ann. § 35-7-1014) of the Wyoming Controlled Substances Act of 1971. This action is being taken in response to a final orders issued by the U.S. Drug Enforcement Administration (DEA). These orders temporarily list **butyryl fentanyl**, **beta-hydroxythiofentanyl**, and **furanyl fentanyl** into Schedule I of the Controlled Substances Act. 21 U.S.C. § 801 *et seq.* By statute, the Wyoming Attorney General is required to similarly control such substances. Wyo. Stat. Ann § 35-7-1011(d). All three synthetic opioids are currently scheduled through emergency rules. Such actions were taken to comply with Wyoming Statutes § 35-7-1011(d), while the permanent rulemaking process specific to these substances moved forward.

SUMMARY OF COMMENTS

The Attorney General received no comments on the proposed rules during the 45-day comment period.

Chapter 1

Additional Controlled Substances

Section 1. **Purpose.** The purpose of these rules is to add, delete, and reschedule controlled substances in the Wyoming Controlled Substances Act of 1971. Some changes will be made to similarly control a substance in response to the publication of a final order in the Federal Register designating that substance as a controlled substance under federal law. Other changes will be made at the discretion of the Wyoming Attorney General, in his capacity as the Commissioner of Drugs and Substances Control, with the advice of the Advisory Board on Drugs and Substances Control.

Section 2. **Authority.** The Commissioner of Drugs and Substances Control's rulemaking authority is found at Wyoming Statute § 35-7-1011(a) and (d), which allow the Commissioner to add, delete, and reschedule substances to the control schedules pursuant to the Wyoming Administrative Procedure Act.

Section 3. **Additional Controlled Substances.** The Commissioner of Drugs and Substances Control adds the following substances to Schedule I:

(a) Synthetic cannabinoids:

(i) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, commonly known as 5F-AMB;

(ii) [N-[1-(aminocarbonyl)-2,2-dimethylpropyl]-1-(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide, commonly known as ADB-FUBINACA;

(iii) [Methyl 2-({1-[(4-fluorophenyl)methyl]-1H-indazole-3-carbonyl}amino)-3-methylbutanoate], commonly known as FUB-AMB.

(b) Synthetic opioid analgesics:

(i) trans-3,4-dichloro-N-[2-dimethylamino)cyclohexyl]-N-methylbenzamide, commonly known as U-47700;

(ii) para-fluorobutyryl fentanyl, commonly known as p-FBF;

(iii) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, commonly known as acetyl fentanyl;

(iv) 3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide, commonly known as AH-7921.

(c) Analgesics:

(i) 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]-benzenesulfonamide, commonly known as W-18.

(d) Synthetic opioids:

(i) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (commonly known as butyryl fentanyl);

(ii) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide, (commonly known as beta-hydroxythiofentanyl);

(iii) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide, (commonly known as furanyl fentanyl).

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