



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-01
October 2023
Minneapolis, Minnesota

**A Resolution Encouraging the Facilitation of Rescheduling Drugs and
Substances From Schedule I That May be Approved For Medical Use**

WHEREAS, psychotropic and other drugs and substances are currently controlled as Schedule I substances by individual states, territories and districts and federally under the Controlled Substances Act; and

WHEREAS, certain psychotropic and other Schedule I drugs and substances are being evaluated for the treatment of a variety of medical conditions and ailments; and

WHEREAS, delays in rescheduling at the state level following Drug Enforcement Administration (DEA) rescheduling after Food and Drug Administration (FDA) determining an approved medical use for these drugs and substances may cause harm to patients in those states, territories and districts;

THEREFORE BE IT RESOLVED, that the National Association of State Controlled Substances Authorities (NASCSA) encourages states, districts and territories to review and revise applicable statutes and regulations to facilitate the availability of former Schedule I drugs and substances to ensure timely patient access to FDA-approved drugs.

ATTEST: _____
President

Date: _____



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-02
October 2023
Minneapolis, Minnesota

**A Resolution to Require Enhanced Storage of Controlled Substances by
“Non-Practitioners”**

WHEREAS, the United States is experiencing an unprecedented opioid abuse epidemic that is fueled by theft and diversion from legitimate channels of distribution; and

WHEREAS, the federal Controlled Substances Act (“CSA”) is the primary statute that regulates the manufacture, importation, exportation, distribution and dispensing of substances of abuse and listed chemicals; and

WHEREAS, the CSA was enacted in 1970 and many of its implementing regulations, including those involving controlled substance security date from that time period; and

WHEREAS, Title 21 of the Code of Federal Regulations (“CFR”), §§ 1301.71-.76 implement the security requirements for Controlled Substances under the CSA; and

WHEREAS, 21 C.F.R. § 1301.71(a) requires that “[a]ll applicants and registrants shall provide effective controls and procedures to guard against theft and diversion of Controlled Substances;” and

WHEREAS, 21 C.F.R. § 1301.72(a) requires nonpractitioners, including manufacturers and distributors, to store Schedule I and II Controlled Substances, where small quantities permit in a safe, steel cabinet or in a vault equipped with a Group 1R (R for radiological attack) combination lock or key lock; and

WHEREAS, 21 C.F.R. § 1301.72(b) also requires nonpractitioners to store Schedule III thru V Controlled Substances in a safe, steel cabinet, vault or cage, equipped with a Group 1R combination dial or key lock; and

WHEREAS, Group 1R mechanical dial and keylocks do not require unique user access codes allowing identification of those accessing the storage container; and

WHEREAS, the availability of enhanced, more robust physical security controls should require non-practitioners to replace obsolete Group 1R mechanical combination and key locks with state

of the art Underwriter Laboratories Certified UL Type 1 electronic access control that manages and audits all users accessing through unique user codes and Identification Numbers for each authorized user that reduces theft and internal diversion: and

WHEREAS, the physical security controls outlined in Title 21 C.F.R. § 1301.72 (a) and (b), in the current environment, are inconsistent with C.F.R. §1301.71(a) because they are less effective and secure than Underwriter Laboratories Certified UL Type 1 electronic access control, such that 21 C.F.R § 1301.72 (a)(1)(i) “*20 man-hours against lock manipulation, and 20 man-hours against radiological techniques*” should be replaces as outdated and obsolete and

THEREFORE, BE IT RESOLVED, that the National Association of State Controlled Substances Authorities (“NASCSA”) encourages state controlled substance authorities, boards of pharmacy and the Drug Enforcement Administration to strengthen and enhance Schedule I through V physical security requirements for “non-practitioners” consistent with 21 C.F.R. § 1301.72 (a) by terminating the use of Group 1R combination or key locks and key lock overrides as less effective than electronic access systems. Nonpractitioners should replace Group 1R locks with the widely-used and commercially-available UL Type 1 Hi-Security Electronic Access Control Systems manufactured by numerous UL Listed manufacturers.

ATTEST: _____
 President

Date: _____



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-03
October 2023
Minneapolis, Minnesota

A Resolution Supporting the Enhanced Control of Xylazine

WHEREAS, the illicit use of xylazine presents an urgent threat to public health and safety;

WHEREAS, xylazine is only approved by the Food and Drug Administration (FDA) for veterinary use and not for human; it is only approved for veterinary use only;

WHEREAS, the proliferation of xylazine as an additive to illicit drugs such as fentanyl, heroin, cocaine and other narcotics threatens to exacerbate the opioid public health emergency and to induce sleep in Drug Facilitated Crimes;

WHEREAS, the physical effects of xylazine use in humans can include depressed breathing and heart rate, unconsciousness, and necrosis sometimes leading to amputation or other permanent physical health consequences;

WHEREAS, xylazine exposure has resulted in intentional and accidental fatal overdosing and there is no currently FDA-approved drug to reverse the effect of xylazine in humans;

WHEREAS, the Drug Enforcement Administration (DEA) has issued a Public Safety Alert, warning that xylazine and fentanyl drug mixtures place users at a higher risk of fatal drug poisoning;

WHEREAS, the White House Office of National Drug Control Policy (ONDCP) has officially designated fentanyl adulterated or associated with xylazine as an emerging threat to the United States;

WHEREAS, several states are regulating xylazine a controlled substance to help limit further proliferation of its illicit use;

WHEREAS, public health departments and poison control centers across the nation have also issued advisories and alerts regarding xylazine;

WHEREAS, prompt action to more stringently regulate illicitly used xylazine will help limit its further proliferation, saving lives;

WHEREAS, the illicit use of xylazine continues to grow nationally, with efforts underway in the federal agencies and Congress address the growing crisis;

NOW, THEREFORE, BE IT RESOLVED, that the National Association State Controlled Substance Authorities (NASCSA) supports passage of those bills currently before Congress; and

BE IT FURTHER RESOLVED, that NASCSA supports legislation and/or regulations in states, commonwealths, districts or territories to further regulate xylazine to include required registration, reporting, recordkeeping and security as well increased penalties for unlawful manufacturing or distribution and other means necessary to limit the illicit use of the drug while ensuring availability for legitimate veterinary use.

ATTEST: _____
President

Date: _____

DRAFT



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-04
October 2023
Minneapolis, Minnesota

**A Resolution in Support Prescription Monitoring Programs (PMPs) That
Encourages Jurisdictions to Identify and Implement Sustainable Non-
Competitive Funding for PMPs**

WHEREAS, the National Association of State Controlled Substances Authorities (NASCSA) has historically supported the prescription monitoring programs (PMPs) of individual states, districts and territories; and

WHEREAS, fifty-four jurisdictions: states, districts, territories, and the Military Health System, currently have an operational PMP; and

WHEREAS, fifty-three PMPs actively transmit data across jurisdictional lines to identify patients at risk and assist in preventing doctor-shopping; and

WHEREAS, fifty-one jurisdictions mandate use of PMPs by prescribers and pharmacists; and

WHEREAS, PMPs are actively integrating PMP data with electronic health record systems, pharmacy management applications, e-prescribing platforms, and dental management applications; and

WHEREAS, PMPs provide prescribing and dispensing data when a law enforcement or regulatory agency investigates individuals and health care entities who may be violating drug laws via prescriptions; and

WHEREAS, PMPs have long relied on federal grant funding to enhance and maintain their programs; and

WHEREAS, federal funding of competitive grants is being reduced and, in some cases mandate PMP participation while placing restrictions on the use of said funding;

THEREFORE BE IT RESOLVED, that NASCSA supports the continued implementation, utilization, collaboration, and enhancement of PMPs; and

BE IT FURTHER RESOLVED, NASCSA’s executive committee is directed to seek opportunities to support PMPs and encourage jurisdictions to review current funding processes and examine federal and state opportunities to secure sustainable, non-competitive funding for the continued enhancement and maintenance of PMPs; and

BE IT FURTHER RESOLVED, that jurisdictions communicate to their congressional delegations and federal agencies the important roles that PMPs play in the prevention and treatment of substance use disorders within the current overdose epidemic; and

BE IT FURTHER RESOLVED, that NASCSA continues to oppose any initiative or program that duplicates or replaces individual PMPs.

ATTEST: _____
 President

Date: _____

DRAFT



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-05
October 2023
Minneapolis, Minnesota

A Resolution Recognizing Karen Tannert

WHEREAS, the purpose of The National Association of State Controlled Substances Authorities (NASCSA) is to provide a continuing mechanism through which states, federal agencies and others can work to increase the effectiveness and efficiency of state and national efforts to prevent prescription drug abuse; and

WHEREAS, Karen Tannert during her distinguished career at the Texas Department of Health devoted many years of public service and was instrumental in initiating many positive enhancements to that state's controlled substance and pharmacy issues and worked on various regulations/policies aimed at reducing prescription drug abuse and diversion; and

WHEREAS, Karen Tannert was extremely active in NASCSA, serving in a variety of leadership roles for almost 10 years including serving as President, Vice President, Chair of the Board and serving on many committees and task forces during her distinguished career; and

WHEREAS, Karen Tannert provided ongoing support and assistance to NASCSA in meeting its goals, including speaking at the annual conference and sharing her vast expertise; and

THEREFORE BE IT RESOLVED, that NASCSA during its 39th annual meeting hereby expresses its appreciation to Karen Tannert for her efforts; and

BE IT FURTHER RESOLVED, that Karen Tannert be made an honorary member of NASCSA; and

BE IT FURTHER RESOLVED, that the resolution be included in the official minutes of NASCSA and a copy presented to Karen Tannert.

ATTEST: _____
President

DATE: _____

DRAFT



National Association of State
Controlled Substances Authorities

NASCSA Resolution 2023-06
October 2023
Minneapolis, Minnesota

A Resolution Recognizing Joshua Vinciguerra

WHEREAS, the purpose of The National Association of State Controlled Substances Authorities (NASCSA) is to provide a continuing mechanism through which states, federal agencies and others can work to increase the effectiveness and efficiency of state and national efforts to prevent prescription drug abuse; and

WHEREAS, Joshua Vinciguerra during his distinguished career at the New York Department of Health devoted many years of public service and was instrumental in initiating many positive enhancements to that state's controlled substances issues including the state's Prescription Drug Monitoring Program and working on various regulations/policies aimed at reducing prescription drug abuse and diversion; and

WHEREAS, Joshua Vinciguerra was extremely active in NASCSA, serving in a variety of leadership roles for many years including serving as Secretary-Treasurer and serving on many committees and task forces during his distinguished career; and

WHEREAS, Joshua Vinciguerra provided ongoing support and assistance to NASCSA in meeting its goals, including speaking at the annual conference and sharing his vast expertise; and

THEREFORE BE IT RESOLVED, that NASCSA during its 39th annual meeting hereby expresses its appreciation to Joshua Vinciguerra for his efforts; and

BE IT FURTHER RESOLVED, that Joshua Vinciguerra be made an honorary member of NASCSA; and

BE IT FURTHER RESOLVED, that the resolution be included in the official minutes of NASCSA and a copy presented to Joshua Vinciguerra.

ATTEST: _____
President

DATE: _____

DRAFT



National Association of State
Controlled Substances Authorities

**NASCSA Resolutions – Statement of Purpose
October 2023
Minneapolis, Minnesota**

NASCSA Resolution 2023-01

**A Resolution Encouraging the Facilitation of Rescheduling Drugs and
Substances From Schedule I That May be Approved For Medical Use**

Statement of Purpose: The purpose of this resolution is to raise awareness for the ongoing research efforts around Schedule I medications. These Schedule I medications, particularly the psychedelic at the moment but cannabidiol in recent history, appear to be moving towards an approval by the Food and Drug Administration approval and subsequent Drug Enforcement Administration rescheduling. It is important for states to be aware of these changes and consider making changes to their statutes and regulations to prepare for these potential new medications to prevent interruption to patient care.

NASCSA Resolution 2023-02

**A Resolution to Require Enhanced Storage of Controlled Substances by
“Non-Practitioners”**

Statement of Purpose: To greatly reduce any potential for internal or external diversion while providing full lawful user accountability, electronic audit records and constant supervision. Also allows for the access control system to be set up as a silent duress alarm and prevents storage units of controlled substances from being left ajar for potential diversion. The current 53-year-old law (not accounting for currently available technology) requiring the Group1R combination mechanical dial lock forces everyone to have the same access code with zero accountability, oversight, or control. This is a direct violation of the law requiring registrants to take every means possible to prevent diversion.

NASCSA Resolution 2023-03

A Resolution Supporting the Enhanced Control of Xylazine

Statement of Purpose: The resolution is being put forth to address the growing problem of the abuse of xylazine and to encourage states, territories and districts to consider measures to curtail diversion, increase recordkeeping and security and to adopt whatever measures will reduce the illicit availability of the drug.

NASCSA Resolution 2023-04

A Resolution in Support of Prescription Monitoring Programs (PMPs) That Encourages States to Identify and Implement Sustainable Non-Competitive Funding for PMPs

Statement of Purpose: While widely successful during the opioid crisis, PMPs are now faced with the fatal and non-fatal overdose epidemic. PMPs often struggle to identify and secure funding for the maintenance and enhancement of program operations. This resolution seeks to encourage states to review their PMPs funding for sustainability as well as identify alternative funding paths. For PMPs to remain successful they require sustainable funding to continue to provide critical prescription information for all healthcare entities.

NASCSA Resolution 2023-05

A Resolution Recognizing Karen Tannert

Statement of Purpose: The resolution is being put forth to recognize Karen Tannert for her many contributions to the mission and success of NASCSA by making her an honorary member of the association.

NASCSA Resolution 2023-06

A Resolution Recognizing Joshua Vinciguerra

Statement of Purpose: The resolution is being put forth to recognize Joshua Vinciguerra for his many contributions to the mission and success of NASCSA by making him an honorary member of the association.