



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 33

**Criminal Law - Controlled Dangerous Substances - Schedules - Adjustment
Statement in SUPPORT**

Chair Clippinger, Vice Chair Moon and Members of the House Judiciary Committee, thank you for the opportunity to share testimony in support of House Bill 33, which will align Maryland's schedule of controlled dangerous substances with the federal drug schedule.

The DEA classifies drugs, substances, and certain chemicals used to make drugs into five categories, or schedules, depending upon the drug's acceptable medical use and the drug's abuse or dependence potential.¹

The abuse rate is the determining factor in the scheduling of the drug. Schedule 1 drugs have a high potential for abuse and can create severe psychological and/or physical dependence. It is important to note that as the potential for abuse changes, the drug schedule is changed to reflect that.¹

Generally in Maryland, we follow the DEA schedules of controlled dangerous substances unless the state chooses to add a new one or object to one. Currently, when changes are made to the federal schedule, Maryland must update its schedule each year through legislation. In practice, this means that Maryland's drug schedules are only updated once per year when the legislature meets. However, the federal drug schedule changes whenever it is deemed necessary. The legislature did not make updates last year to the state's drug schedule, so our state's schedule is now two years behind the federal drug schedule.

A disparity between the federal and state schedules translates to confusion in prosecution and to medical providers and pharmacists who reference it. Aligning the federal and state schedules removes an annual legislative burden from the legislature, while preserving the ability of MDH to make changes as needed. HB33 streamlines the process by which drugs are added to or removed from their respective schedules in the state, allowing for the state schedule to be updated whenever the federal drug schedule is updated.

¹ United States Drug Enforcement Administration, Drug Scheduling:
<https://www.dea.gov/drug-information/drug-scheduling>

I respectfully request a favorable report on HB33. Thank you.