RESEARCHER GUIDE FOR THE USE OF DEA CONTROLLED SUBSTANCES

TABLE OF CONTENTS

1 INTRODUCTION

Controlled substances (CS's) are any drugs–whether medical or recreational, legally or illicitly acquired and distributed–that pose risk of abuse and dependence. These substances are regulated under the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 C.F.R § 1300 to end, commonly the Controlled Substances Act (CSA). Meanwhile, administration of the CSA falls under the jurisdiction of the United States Department of Justice Drug Enforcement Administration (DEA). The function that the DEA plays when it comes to controlled substances is synergistic: to prevent abuse and diversion via administrative and physical controls while ensuring unfettered access to meet legitimate commercial, medical, and scientific demands.

As instituted by Congress, the foundation of the CSA relies upon the establishment of a "closed system of distribution." This system allows regulatory bodies to trace controlled substances from its initial manufacture and distribution to its final dispensation or destruction. In the context of a research institution such as The University of Texas Health Science Center at Houston (UTHealth), this is achieved by requiring all those licensed by the DEA to observe the following, under strict and broad regulatory guidance: (1) maintain thorough documentation of procurement, dispensation, and disposal; (2) set-up adequate storage security measures; and (3) keep track of all authorized individuals with access to controlled substances.

It is ultimately in the public's interest for established rules to encompass proper handling of controlled substances and executing penalties for any illicit drug manufacture, distribution, and custody. In the state of Texas, there are approximately 169755 individuals and entities–from doctors and researchers to manufacturers, pharmacies, and analytical laboratories–licensed with the DEA, 0.027% and 0.46% of which are Schedule I and Schedule II-V researchers, respectively. Notably, adherence to federal drug laws is mandatory and extensively monitored that violations, even when inadvertent, can lead to significant civil and criminal liability.

This guidance document has been prepared to assist physicians, researchers, and CLAMC veterinarians understand their obligations under the CSA, which includes the following: (1) registration; (2) procurement; (3) storage and security; (4) recordkeeping and inventory; (5) transfer and/or loss; and (6) dispensation and disposal.

1.1 Resources

For additional information about the regulatory requirements on controlled substances, you may consult the following websites:

Drug Enforcement Administration, Houston Division:
https://www.dea.gov/divisions/houston

US Department of Justice, Drug Enforcement Administration, Diversion Control Division:
https://www.deadiversion.usdoj.gov/

Texas Department State Health Services (TDSHS), Drugs Program:
https://www.dshs.texas.gov/drugs/default.aspx

2 LIST OF DEFINITIONS

The following definitions are important terms used throughout this document.

a. **Authorized agent:** an individual who has the complete trust of a DEA registrant. In the absence and upon authorization of the registrant, an authorized agent may oversee procurement, dispensing limited quantities, and management of controlled substances. Typically, only 1-2 individuals are provided with the status of "authorized agent" in a laboratory to minimize risk of diversion. In addition, an authorized agent may acquire keys and/or combination access to the safe or locked cabinet where inventories of bulk controlled substances are stored. Finally, the authorized agent is responsible for dispensing limited amounts of CS to other authorized users for daily use purposes and proper storage of unused dispensed CS.

b. **Authorized personnel:** general term that may be used to refer to an "authorized agent" or an "authorized user". The DEA does not specify strict guidelines on how registrants assign these specific roles within a laboratory, thus, the need for a DEA background check or screening is not required. Credential checks, including proper training on handling CS, ultimately fall under the responsibility of the registrant. All authorized personnel are required to complete the "Controlled Substance Authorized Personnel Screening Form."

c. **Authorized user:** research staff (ie. graduate students and/or postdoctoral scholars) under the direct supervision of a registrant. The scope of CS use by an authorized user is limited to participation in using CS during experiments or treatment of research animals only.

d. **Certificate of Registration:** also known as the Controlled Substance Certificate of Registration DEA Form 223. The registrant must maintain, not display, the certificate of registration at the registered location in a readily retrievable manner and must be readily available for DEA and/or TDSHS audit.

e. **Clinical:** a setting where a controlled substance is used in a medical or veterinary purpose.

f. **Controlled substances (CS's):** drugs–whether medical or recreational, legally or illicitly distributed–that generally pose a risk of abuse and dependence. Hence, the manufacture, possession, use and proper disposal of CS are regulated by the DEA. CS not only include drugs designated for control by Congress (see CSA Schedules) but also drug analogues (designed to mimic properties of CS's) and precursor chemicals (typically used in the manufacture of CS). For a complete list of CSA scheduled drugs, visit https://www.deadiversion.usdoj.gov/schedules/.

g. **TDSHS:** also known as the Texas Department of State Health Services, the governing body authorized by the State of Texas Administrative Code 315 to administer and oversee the CS program pursuant to Texas Controlled Substances Act of 1989.

h. **Non-clinical:** a setting where a controlled substance is used in research, teaching, or chemical analysis, whether qualitative or quantitative.

i. **Non-practitioner:** an investigator conducting animal or laboratory research at the university and does not have an "Institutional Dispenser" DEA registration.

j. **Practitioner:** a physician, dentist, veterinarian, pharmacist, nurse practitioner, or other licensed medical professional possessing a DEA registration.

k. **Registrant:** an individual licensed by the DEA with the due authority to procure, securely store, use, and dispose of CS's. A registrant may appoint an authorized agent to perform the aforementioned duties on her/his behalf via a power of attorney. Nonetheless, the registrant assumes full responsibility in ensuring full regulatory compliance in handling controlled substances in connection to her/his registration.

l. **Registration categories:** different classes of license that can be legally obtained by an individual, institution, and/or a business entity. For UTHealth researchers, the most important categories are highlighted and described in ***Table 1***.

m. **Schedules (CSA Schedules):** categories by which CS's are classified based on both of their medical value and potential for dependence and abuse. CS's can be evaluated as Schedule I – V.

n. **Research:** any non-clinical activity which includes but not limited to drug discovery, novel drug synthesis, drug and method development, chemical analysis, and animal experiments.

o. **Reverse distributor:** a DEA-licensed third-party company authorized to receive and dispose of expired, damaged, or otherwise unusable or unwanted CS's, including unwanted bulk CS samples from registered researchers.

p. **Ultimate user:** "an individual who has lawfully obtained (ie. via prescription), and who possesses, a CS for her/his own use or for the use of a member of her/ his household or for an animal owned by her/him or by a member of her/his household."

q. **Unacceptable discrepancy:** any difference in the amount of CS on hand and the amount documented that cannot be reasonably explained by accidental or normal loss.

Table 1. Registration Categories for Controlled Substance Handlers as Sanctioned by 21 C.F.R. § 1301.13(e)(1) (Current as of October 28, 2020)

Registration Category	Allowed CSA Schedule/s	Required DEA Form/s	Application Fee[#] / Validity	Other Info[*,#]
Manufacturer	I – V	Form 225 (new) Form 225a (renewal)	$3047 / year	- Distribution of CS consistent with issued registration - Conduct of chemical analysis, preclinical research, and quality control analysis of Sched II – V CS consistent with issued registration. Exemption is available to individuals registered to dispose any CS, regardless of CSA schedule.
Distributor	I – V	Form 225 (new) Form 225a (renewal	$1523 / year	
Reverse Distributor	I – V	Form 225 (new) Form 225a (renewal)	$1523 / year	
Institutional Dispenser	II-V	Form 224 (new) Form 224a (renewal)	$731 / 3 years	- Includes practitioners, pharmacies (retail, hospital/clinic, central refill), and teaching institutions - Research and instruction using CS consistent with registration; further restrictions apply to MLPs - Pharmacies may manufacture aqueous, oleaginous, or solid dosage form containing Schedule II-V narcotics with concentration < 20% of the resulting mixture/solution. - Retail pharmacies may perform central fill activities
Researcher	I	Form 225 (new) Form 225a (renewal)	$244 / year	- Individual or Institutional license - Manufacture and/or import CS consistent with issued registration if required by protocol as sanctioned by §1301.18 - Distribution of CS to other individuals who are either: - registered to conduct research with Sched I CS - registered to conduct chemical analysis with CS
Researcher	II - V	Form 225 (new) Form 225a (renewal)	$244 / year	- Chemical analysis of CS consistent with issued registration - Manufacture of CS if and to the extent that such manufacture is set forth in a statement filed with the application for registration or reregistration and provided that the manufacture is not for the purposes of dosage form development - Import of CS for research purposes - Distribution of CS to other individuals who are either: - registered to conduct chemical analysis, research, or instructional activities - exempt from registration as sanctioned by §1301.24
Narcotic Treatment Program	II – V	Form 363 (new) Form 363a (renewal)	$244 / year	- Includes compounding activities
Importer	I - V	Form 225 (new) Form 225a (renewal)	$1523 / year	- Distribution of CS consistent with issued registration
Exporter	I – V	Form 225 (new) Form 225a (renewal)	$1523 / year	
Chemical Analysis	I-V	Form 225 (new) Form 225a (renewal)	$244 / year	- Manufacture and import of CS for analytical and instructional activities. - Distribution of CS to other individuals who are either: - registered to conduct chemical analysis, research, or instructional activities - exempt from registration as sanctioned by §1301.24 - Export to other individuals in other countries performing chemical analysis or law enforcement related to CS in those countries - May conduct instructional activities with CS

[*]Brief description of coincident activities allowed by DEA under a specific license. For full details, visit https://www.deadiversion.usdoj.gov/drugreg/categories.htm.
[#]Registration or license may be substance-only or class/schedule-specific.

3.0 RESPONSIBILITIES

3.1 Registrants

The DEA registrant will:

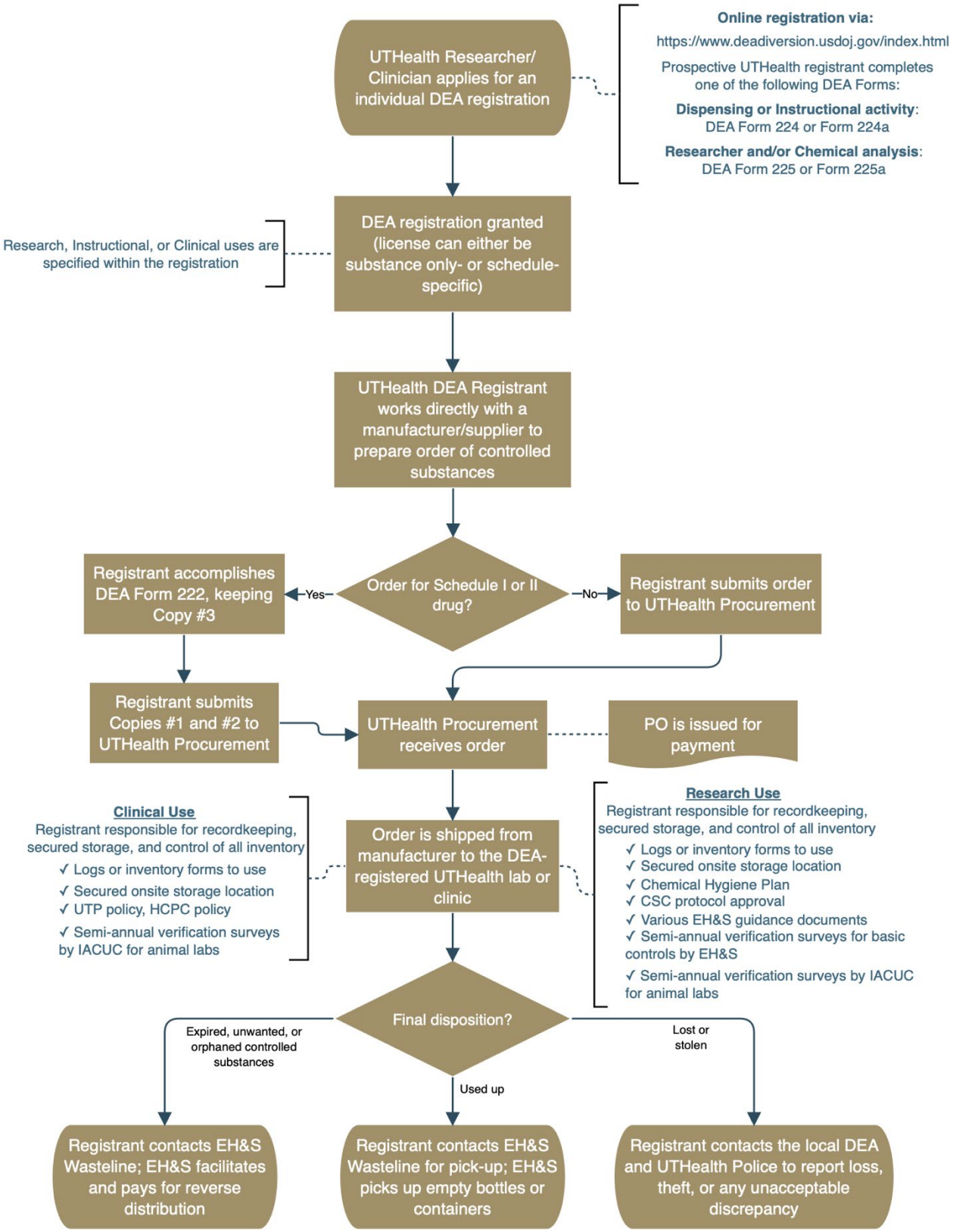
a. Assure compliance with state and federal regulations.
b. Maintain complete accountability of all CS's in her/his laboratory.
c. Do due diligence in properly screening potential authorized personnel within her/his laboratory.
d. Complete training before being involved in the use of CS's.
e. Store CS's in a locked steel cabinet or a locked substantially constructed cabinet to prevent diversion.
f. Maintain all records and inventories of all CS's used in her/his research or instruction at UTHealth.
g. Ensure maintenance of all related training records.
h. Follow pertinent CS procurement requirements from university-based and non-university pharmacies or distributors.
i. Maintain up-to-date inventories of all CS's in her/his laboratory.
j. Appropriately document all spills or losses.
k. Report theft, loss, and/or any unacceptable discrepancy of CS's.
l. Account for, retain, and dispose of damaged, expired, unwanted, unusable, and non-returnable CS's following state and federal regulations.

3.2 Environmental Health & Safety (EH&S)

The Office of Environmental Health & Safety will:

a. Develop and implement the written Controlled Substances program.
b. Serves in a consultative capacity towards UTHealth physician, research principal investigator, or CLAMC veterinarian in obtaining a DEA registration.
c. Provide informational materials and web-based training to registrants and authorized users.
d. Provide DEA registrants forms, guidance documents, and policies upon request.
e. Perform semi-annual inspections of each DEA registrant's laboratory safety, security, storage, use, and record keeping requirements. A separate inspection will be performed by the UTHealth Animal Welfare Committee (AWC) or Institutional Animal Care and Use Committee (IACUC). EH&S, however, does not perform detailed vial by vial volume or container by container audits to verify inventory.
f. Assist physician, research principal investigator, or CLAMC veterinarian authorized disposal options for scheduled controlled substances through reverse distribution or through a licensed hazardous vendor via mail back program.

Figure 1. **Process for Use of Controlled Substances at UTHealth Inclusive of Associated Forms, Guidance Documents, and Controls**



4 CSA SCHEDULES

Drugs that become subject to the CSA are listed in one of five classifications, as described in 21 C.F.R. § 1308.11-1308.15, called "schedules." The classification of a drug within a respective schedule is based on whether a drug possesses medical value, abuse potential, and safety or dependence liability. For example, Schedule I substances are categorized as having no medical value and having the highest potential for abuse. Schedule V, on the other hand, is categorized as least habit forming, hence, least potential for abuse.

The schedule by which a specific controlled substance is placed determines the level of restriction on its production, distribution, possession, and use. For instance, disposal of Schedules I & II CS's through a reverse distributor requires a properly filled DEA Form 222 while CS's of Schedules III to V only require an invoice. For identification purposes, each controlled substance has been assigned an "Administration Controlled Substances Code Number." ***Figure 2*** shows the different drug schedules according to the CSA.

Figure 2. **CSA Scheduling Criteria**

	 ABUSE POTENTIAL	 MEDICAL USE	 SAFETY/DEPENDENCE	 EXAMPLES
SCHEDULE I	High	✗ Not currently accepted	Lack of accepted safety for use of the substance under medical supervision	Marijuana, heroin, lysergic acid diethyl amide (LSD), 3,4-methylenedioxyme-thamphetamine (MDMA), peyote
SCHEDULE II	High	✓ Currently accepted	Abuse may lead to sever psychological or physical dependence	Cocaine, methamphetamine, oxycodone, fentanyl, Adderall®
SCHEDULE III	**Less than** the substances in Schedules I and II	✓ Currently accepted	Abuse may lead to moderate or low physical dependence or high psychological dependence	Ketamine, anabolic steroids, testosterone, Tylenol® with codeine
SCHEDULE IV	**Low potential** for abuse relative to the substances in Schedule III	✓ Currently accepted	Abuse may lead to limited physical or psychological dependence relative to the substances in Schedule III	Xanax®, Valium®, Ambien®
SCHEDULE V	**Low potential** for abuse relative to the substance in Schedule IV	✓ Currently accepted	Abuse may lead to limited physical dependence or psychological dependence relative to the substances in schedule IV	Cough medicines with codeine, certain antidiarrheal medicines, FDA-approved drugs containing the marijuana extract cannabidiol (CBD)

*Adapted from "The Controlled Substances Act (CSA): A Legal Overview for the 116th Congress" by Joanna R. Lampe, 2019, Congressional *Research Service*, *R45948*, p. 6.

5 SCOPE OF USE

Controlled substances can only be used for legitimate commercial, medical, or scientific purposes with prior approval. In a scientific context, examples of situations that calls for the use of controlled substances include the following: (1) animal anesthesia, analgesia, restraint, or related experimentation; (2) qualitative and quantitative chemical analysis; or (3) synthetic chemistry involving novel drug discovery and drug development.

It should be noted that the extent by which CS's can be legally used is determined by the registrant's DEA registration and license. As such, UTHealth requires that all individuals conducting activities with DEA-scheduled substances be registered with the DEA and comply with state and federal regulations regarding the acquisition, storage, use, and disposal of those substances. The most common controlled substances used in research and corresponding schedule numbers and DEA codes are listed in ***Table 2***.

Table 2. **Examples of Schedules I-IV Drugs and List 1 Codes[3]**

Name of Drug	Other Name/s	DEA #	CSA Schedule	Narcotic? Y/N
Amphetamine	Dexedrine®, Adderall®, Obetrol™	1100	II	N
Alprazolam	Xanax®	2882	IV	N
Butorphanol	Torbutrol®, Turbugesic®	9720	IV	N
Cocaine	Methylbenzoylecgonine, Crack	9041	II	Y
Fentanyl	Duragesic®, Sublimaze®	9801	II	Y
Ketamine	Ketaset®	7285	III	N
Lorazepam	Ativan®	2885	IV	N
Marihuana	Cannabis, Marijuana	7360	I	N
3,4-Methylenedioxyme-thamphetamine	MDMA, Ecstasy, XTC	7405	I	N
Midazolam	Versed	2884	IV	N
Morphine	MS Contin®, Roxanol®, Oramorph®, RMS®, MSIR®	9300	II	Y
Pentobarbital	Nembutal®	2270	II	N
Testosterone	Android-T®, Androlan®, Depotest®, Delatestryl®	4000	III	N
Zolpidem	Ambien®, Ivadal®, Stilnoct®, Stilnox®	2783	IV	N

*A more comprehensive list of controlled substances and drug schedules can be found on https://www.deadiversion.usdoj.gov/schedules/ (Updated as of April 4, 2021).

5.1 Research Use

Every person conducting research activities with a CS is required to register with the DEA according to 21 C.F.R. § 1301.11. Re-registration is required annually, for most types of license.

State employees are exempt from the registration fee. For more information, see 21 C.F.R. § 1301.21 or instructions on application DEA Form 225.

a. For Schedules II-V substances, complete and submit DEA Form 225 or DEA Form 224 (see Instructional Use).
b. For Schedule I substances, in addition to DEA Form 225, the applicant is required to submit three copies of the research protocol as set forth by 21 C.F.R. § 1301.18 or instructions on application DEA Form 225.

5.2 Instructional Use

Every person conducting instructional activities with a CS is required to register with the DEA per 21 C.F.R. § 1301.11. For Schedules II-V substances, the DEA Form 224 is accomplished to register as "Institutional Dispenser", which can be used for both research and instructional activities. In which case, re-registration is required every three years. Accordingly, as stated by 21 C.F.R. § 1301.21, state employees are exempt from the registration fee.

5.3 Additional Notes

a. For Schedule I substances, a copy of the DEA Application and research protocol must be submitted to EH&S (ie. Chemical Safety Committee). Following review, EH&S will provide institutional approval as appropriate.
b. The DEA Form 222 must be used for procurement of Schedules I and II substances only. Paper version of the DEA Form 222 can be acquired by selecting "Indicate here if you require 'Order Form Book'" on the application form.
c. On August 12, 1999, ketamine was included into the Federal Drug Enforcement Regulations. Purchase, use, and disposal of ketamine require a Schedule II-V permit.

6 EMPLOYEE SCREENING PROCEDURE

A background check is conducted by the DEA when an individual applies for a CS registration. The DEA also advises all registrants and employers to assess and determine the possibility of an employee committing a drug security breach. Screening questions have been approved by the DEA for use by non-practitioners to authorize personnel access to scheduled drugs according to 21 C.F.R. § 1301.90. Registrants must maintain the answers to these screening questions for authorized personnel in a secure place, beyond the purview of any unauthorized personnel. While a DEA background check is not required in hiring authorized personnel, registrants are expected to exercise due diligence by requiring prospective employees to fill-out the "Controlled Substance Personnel Screening Form."

6.1 Employee Roles

A registrant may authorize any screened personnel to use substances in Schedules II-V for approved activities. Notably, Schedule I substances cannot be issued to, or used by anyone except

for a Schedule I registrant. If additional authorized personnel need to use Schedule I substances, they must individually register with the DEA.

6.2 Exceptions

The DEA provides the following restrictions for employment by registrants of an authorized agent or an authorized user who has access to CS's according to 21 C.F.R. § 1301.76:

a. Any person who has been convicted of a felony offense related to CS's.
b. Any person who has been denied a DEA registration.
c. Any person who has had a DEA registration revoked.
d. Any person who has surrendered a DEA registration for cause.

7 SECURITY AND STORAGE OF CONTOLLED SUBSTANCES

Registrants shall provide effective controls to guard against the theft or diversion of CS's. CS's are required to be stored in securely locked, substantially constructed cabinets or safes (i.e., not easily broken into or moved) as described in 21 C.F.R. § 1301.71. In addition, efforts must be focused on physical security, entry procedures, limiting access, and record keeping measures to prevent diversion. Full details regarding security and storage requirements are outlined in the DEA Practitioners Manual and 21 C.F.R § 1301.75.

7.1 Facility

The determination whether the security of a storage area is adequate or not is made by a DEA agent during an on-site evaluation. Typical recommendation is the purchase of a steel, wall-mountable drug cabinet, narcotics box, or safe designed for storing CS's. Alternatively, a drug lock box secured in a locked drawer or cabinet may be sufficient. Locks may be combination or key type (preferred). Combinations or keys must not be readily accessible to individuals not on the registrant's "Authorized Personnel List", preferably giving access to one or two authorized agents only. If key locks are used, then the two locks must be keyed differently, the two keys must not be stored together (not on the same ring) and both keys must be safeguarded and not accessible to unauthorized users. Key factors that should be considered when evaluating a secure storage location include the following:

a. Type, form, and quantity of CS's used and stored.
b. Location of the storage area (ie., low vs. high crime risk).
c. Number of unsupervised public access to the storage location.
d. Number of authorized personnel with access.
e. Adequacy of authorized personnel supervision.

7.2 Storage of Schedule I Drugs

Registrants authorized to possess Schedule I drugs must store these CS's in a safe or steel cabinet equivalent to a U.S. Government Class-V security container.

7.3 Storage of Schedules II – V Drugs

According to federal law, registrants are required to store stocks of Schedules II-V drugs in "a securely locked, substantially constructed cabinet that is only accessible to authorized personnel." They cannot be stored in something that can be readily picked-up and carried off. Additionally, federal law requires that all registrants provide effective controls and procedures to guard against theft and diversion. All CS's should be kept locked in their storage locations except for the time required for authorized staff to remove, work with, and replace them.

7.4 Other Storage Recommendations

Below are some other recommendations in storing CS's:

a. Secure the storage cabinet or safe to the floor, counter, or wall.
b. Keep the storage cabinet or safe in a room with a door that can be locked. The room must be kept locked after hours or when no one is around.
c. Always keep the storage cabinet or safe locked, unlocking it only to store or retrieve drugs.
d. Limit access to the storage cabinet or safe. Issue keys to as few people as possible, preferably only to authorized agents. Alternatively, keep one key in a secure location such as a wall-mounted key safe, the combination for which should be easily changed if/when needed. If CS's are locked using a combination, codes must be immediately changed upon turnover of an employee who has knowledge of such code.
e. Non-laboratory personnel entering areas where CS's are used or stored must always provide identification and rationale for access. CS's must never remain unlocked or unattended during laboratory maintenance work or other required access by individuals who are not the registrant or authorized agent.
f. Ideally, for CS's needing refrigeration (ie. Telazol®), the refrigerator or freezer should also be locked.

8 PROCUREMENT OF CONTROLLED SUBSTANCES

All purchases must be done in compliance with DEA regulations. Registrants must purchase CS's using their DEA registration number/s. If more than one registration is held (i.e., different work site locations) then the registration number used to purchase drugs for each location must maintain site-specific correspondence. DEA regulations require a separate registration for each location where CS's are received, stored, and used. In addition, practitioners who receive or store CS's in their practice cannot use the same registration to order CS's for their research laboratory, if these are at different addresses. Furthermore, CS's must be purchased using a DEA registration number from a DEA-approved distributor. Orders for Schedules I & II CS's must be accompanied by the DEA Form 222.

8.1 DEA Form 222

The Controlled Substance Order Form Request, or the DEA Form 222, is a paper-based form used to order Schedules I & II drugs. This form can be obtained directly from the DEA and is required to be filled out in triplicate. The DEA Form 222 also allows the exchange of Schedules

I & II CS's from the registrant to another DEA-registered party, such as when CS's are sent to a reverse distributor for credit or disposal. Request for DEA Form 222 can be made online via https://www.deadiversion.usdoj.gov/online_forms_apps.html. Forms may also be obtained by calling the DEA Headquarters Registration Unit toll free number at 1-800-882-9539. Forms are typically mailed within 3 working days.

Alternatively, a registrant may also obtain a Controlled Substances Ordering System (CSOS) digital certificate from the DEA Certification Authority to sign electronic orders. For more information on the CSOS, see 21 C.F.R. § 1311 subpart B.

8.2 Schedules I & II

Procurement of Schedules I & II CS's must be accompanied by the DEA Form 222. It must be signed by the registrant or by an authorized agent via a power of attorney. Following the completion of the DEA Form 222, the registrant submits Copy #1 (brown) and Copy #2 (green) to the supplier and retains the Copy #3 (blue).

Attention to detail must be observed when completing the DEA Form 222 as any alterations, erasures, or changes in description will be a cause for rejection, according to 21 C.F.R. § 1305.15. The registrant must void any forms with corrections and retain them in their file together with all other DEA Form 222 records. The forms are individually and consecutively numbered and must all be accounted for; thus, any voided DEA Form 222 must not be discarded. It is also imperative to keep the forms in a secure location to prevent unintended use or theft.

8.3 Schedules III – V

Schedules III – V drug orders do not require a DEA Form 222. These CS's can be procured directly from the manufacturer, distributor, or university-based pharmacy. Proof of DEA registration may be asked prior to preparation and shipment of orders.

9 DISPOSAL OF CONTROLLED SUBSTANCES

The DEA describes the standard for disposal as any activity that renders CS's as non-retrievable and unavailable for further use. Though the DEA does not specify destruction methods, it does state, "the process utilized to render a substance non-retrievable shall permanently alter the substance's physical or chemical condition or state through irreversible means and thereby render the substance unavailable and unusable for all practical purposes. A substance is considered non-retrievable when it cannot be transformed to a physical or chemical condition or state as a CS or CS analogue."

All DEA CS's must be accounted for upon their disposal. Disposal of Schedules I-V drugs is done through a third-party reverse distributor. Please contact EH&S Environmental Protection Program (713-500-8100) for assistance in contacting a reverse distributor. A current certification of registration will be required. Take note that all disposal records must be kept at the registered location for a minimum of two years.

9.1 Categories of Waste

a. **Wasted controlled substances**: these include unused tablets, injections, oral liquids, or preparations mixed by mistake, which contain CS's.
b. **Expired controlled substances**: these include CS's which have exceeded their shelf life, unwanted CS's classified as non-formulary drugs, or drugs that are no longer used.

9.2 Reverse Distribution

Registrants must dispose of outdated, damaged, or otherwise unusable or unwanted CS's by transferring them to a reverse distributor. The fee associated with this service is the responsibility of the registrant. As required by the DEA, any CS transfers must only be made after approval from the DEA itself. Schedules I & II drugs must be transferred for reverse distribution using DEA Form 222. Meanwhile, Schedules III – V drugs may be transferred for reverse distribution using an invoice.

9.3 Exceptions

Sometimes, after an experiment, a small amount of CS will remain in the vial or syringe. If the drug in the vial or syringe is non-recoverable (ie., cannot be drawn up for use), the vial or syringe may be disposed of into a biohazard sharps container.

10 INVENTORY AND RECORD KEEPING

10.1 General Information

Registrants are mandated to keep records of their CS's as required by 21 C.F.R § 1304.22, "Records & Reports of Registrants." It is indicated that all records must be kept for a minimum of two years from the last recorded activity. It is recommended by the DEA that Schedules I & II records be separated from Schedules III – V records. Moreover, it is instructed that Schedules I & II records must be readily retrievable and available for review and inspection. The DEA defined "readily available" as a manner by which kept records can be easily separated from all other records in a reasonable time.

Logs/records/invoices, all pertinent DEA forms, and current DEA registration must be maintained at each registered location and must be available for inspection during working hours. In the event of an audit by the DEA, records must be produced by the registrant. Meaning, registrants must maintain full, accurate accounting of all CS's from the time they are procured until the time they are used or disposed of. At the minimum, federal law requires the maintenance of the following records:

a. DEA Form 223
b. DEA Form 222 (including used, unused, and voided forms)
c. DEA Form 106 (Report of Theft or Loss)
d. DEA Form 41 (Registrant Record of Controlled Substance Destroyed)

e. Controlled Substances Authorized Personnel Screening Form
f. Authorized Power of Attorney for DEA Form 222 and Electronic Order
g. Controlled Substances Authorized User Log
h. Records of Receipt (Procured Controlled Substance/s)
i. Procurement and ordering invoices (signed and dated supplier invoices or packing slips)
j. Inventory forms (Initial, Biennial, and Daily-Use)
k. Records of Use (Controlled Substances Running Disposition Form)
l. Usage and Administration Records (Multiple-Dose Individual Drug Use Log, Diluted-Individual Drug Use Log, and Mixed-Drug Use Log):
m. Controlled Substance Transfer Form (i.e., Registrant-to-Registrant transfer)

Although inventory forms are not regulated by the DEA (ie. a registrant can make her or his own inventory forms), forms for inventory purposes have been prepared for UTHealth registrants and can be obtained at the end of this guidance document.

10.2 Receipt Records of Controlled Substances

Registrants must maintain complete, thorough procurement records of CS's for each registered location. CS's, regardless of schedule, must be received by the registrant or an authorized agent delegated by a power of attorney at the registered location. Additionally, Copy #3 of DEA Form 222 must be completed and kept by the registrant when receiving Schedules I & II drugs. When CS's are acquired, the following information must be recorded:

a. Name of CS
b. Form, strength/concentration/weight, and quantity per container
c. Number of containers acquired
d. Date the CS was received and initialed
e. Vendor and manufacturer information

10.3 General Record Keeping Guidelines

Every inventory must include the following information:
a. Registrant's Name, Business Address, and DEA Registration Number
b. Date and time the inventory was performed (either at "Start of Business" or "End of Business)
c. Signature of the registrant or authorized agent responsible for taking the inventory

For each controlled substance in finished form the inventory must include:
a. Name of each CS
b. Finished form (i.e., 5-mg tablet or 5-mg/ml concentration)
c. Number of units or volume of finished form in each container (i.e., 25-tablet bottle or 50-mL vial)
d. Number of containers of each finished form (i.e., 5 25-tablet bottles or 2 50-mL vials)

For damaged, defective or impure substances, substances awaiting disposal, substances held for quality control purposes, or substances maintained for compounding, the inventories must include:

a. Name of CS
b. Total quantity of the substance to the nearest metric unit weight or the total number of units of finished form
c. Reason for the substance being maintained by the registrant and whether such substance is capable of use in the manufacture of any CS in finished form

When determining the number of units of each finished form of a CS in a commercial container which has been opened, do the following:

a. For Schedules I & II drugs, make an exact count or measure of the contents.
b. For Schedules III – V drugs, make an estimated count or measure of the contents, unless the container holds more than 1,000 tablets or capsules in which case an exact count of the contents must be made.
c. Schedules I & II CS inventories must be separated from records of Schedules III – V substances.

10.4 Initial Inventory

A separate inventory for each registered location must be performed on the date the registrant first engages in any activity covered by her/his DEA registration. Initial inventories are usually zero. An initial inventory must be taken for any newly scheduled substance that was not previously listed on any schedule. The substance should then be accounted for on the normal annual/biennial inventories. A specific form is not required for the inventory.

10.5 Mandatory Biennial Inventory

After the initial inventory, a new inventory must be taken at least every two years. The biennial inventory date must be within two years of the last inventory. Inventories and records for Schedules I & II substances are required to be maintained separately from all other records. Records and inventories of all CS's must be maintained at the registered location. Biennial inventories must be signed by the registrant or an authorized agent designated with a power of attorney. If an authorized agent with a power of attorney conducts the inventory, a second authorized user must witness and sign the inventory.

10.6 Daily-Use Records

A continuous general inventory (i.e., perpetual inventory) is suggested by the DEA to track acquisition, current on-hand supplies, administration, and transfer to use logs, transfer to other registrants, and transfer for disposal of each individual formulation of CS.

a. A separate general inventory log should be created for each stock of drug and its associated strength or container size (i.e., Ketamine-HCl injectable, 100mg/ml, 10 ml vials).
b. Schedules I & II records must be separate from Schedules III-V records.
c. An individual controlled substance container should be transferred from a general inventory log to separate usage log for tracking doses delivered from the same container.

d. Individual vials or containers should be assigned a unique container number or code upon receipt to assist with tracking.
e. Registrants may use their own form provided a substance can be tracked from acquisition to research subject, experimental endpoint, transfer, or disposal.
f. For CS's removed from their original container and diluted or combined (e.g. "ketamine/xylazine cocktail"), the new container must be labeled with a new container number, the final concentration, amount in the container and expiration date. A "Record of Use Dispensation Log Form" should then be created to log use of the cocktail.

11 TRANSPORTATION OF CONTROLLED SUBSTANCES

11.1 Loss, Theft, or Unacceptable Discrepancy

All significant losses, thefts, or unacceptable discrepancies must be reported in writing to the DEA by completing the DEA Form 106. It is imperative for the registrant to notify the DEA Houston Division of the significant loss, theft, or unacceptable discrepancy within one business day of its discovery. Thefts must be reported whether or not the CS's are subsequently recovered and/or the responsible parties are identified and action taken against them. Additionally, registrants should contact UTPD to report any significant loss or theft. While the DEA recognizes that there is no objective standard of what constitutes as significant loss, it is suggested that, at a minimum, the registrant consider the following factors as described in 21 C.F.R. § 1301.74(c):

a. The specific type and actual amount of CS's lost in relation to the registrant's activity;
b. Whether the loss of the CS's can be associated with access by specific individual, or whether the loss can be attributed to unique activities that may take place involving the CS's;
c. A pattern of losses over a specific time frame, whether the losses appear to be random, and the results of the efforts taken to resolve the losses;
d. If known, whether the specific CS's are likely candidates for diversion; and,
e. If known, local trends and other indicators of the diversion potential of the mission CS.

11.2 Breakage or Spillage

Breakage of CS's does not constitute a "loss". When there is breakage, damage, spillage, or some other form of destruction, any recoverable CS's must be disposed of according to DEA requirements. Damaged goods may be disposed of through a reverse distributor. It is recommended that any registrant seeking to dispose of CS's first contact the local DEA Diversion Field Office for disposal instructions. In no case should drugs be forwarded to the DEA unless the registrant has received prior approval from the DEA.

If the breakage or spillage is not recoverable, the registrant must document the circumstances of the breakage in their inventory records. Two individuals who witnessed the breakage must sign the inventory records indicating what they witnessed. The submission of DEA Form 41, Registrants Inventory of Drugs Surrendered, is not required in such case.

11.3 In-Transit Loss

When a CS order is received, it should be immediately inspected for damage and verified to correspond to the quantities/amounts listed on the receiving invoice. Unless signed off by the registrant or authorized agent, the supplier is responsible for any in-transit loss, damage or breakage.

11.4 Orphaned Controlled Substances

Every so often, a CS is found but the "owner" is not known or has left UTHealth. The substance may also have been purchased prior to its classification as a controlled agent, may have been left by a retiring researcher, or other mitigating circumstances. In such cases, the CS is referred to as an "orphaned" CS. An official from the responsible department must take temporary possession of the "orphaned" CS then notify the DEA to determine an appropriate disposition/disposal plan. The following information should first be ascertained prior to contacting the DEA:

a. DEA Registration number (if available);
b. Location where the drugs were found (lab number, building);
c. Name of the controlled substance(s);
d. Content of each individual container;
e. Number of containers; and
f. Size of each container.

When disposal of CS's is required, the temporary custodian must contact the DEA Houston Division to submit the DEA Form 41 and to receive approval for proper disposal. It is important to take note that while this process is pending, EH&S is not permitted to take possession of orphaned CS's.

11.5 Registrant-to-Registrant Transfer

In general, registrant-to-registrant transfer of CS's is permitted but discouraged. Such transfers can only be performed, however, if both registrants have an active DEA license that covers the drug/s being transferred.

Such transfers require proper record keeping including the completion of the DEA Form 222 for Schedule II substances. Prior to such transfers it is recommended that the DEA Houston Division office be contacted to ensure that all required documentation are obtained.

The use of CS's is approved for individual researchers and only for the research location/s as described in their DEA registration. Registrants must not distribute, transfer, or share their CS's to non-licensed individuals. To do so, otherwise, is considered a diversion and violation of DEA regulations. Each PI who needs to use CS's in her/his research is required to register with the DEA for a specific research location.

12 SURVEILLANCE

As a service, the EH&S Chemical Safety Program will survey all CS's researchers to assist with verification of recordkeeping, security, and disposal. A list of all registrants will be requested annually with the assistance of UTPD and the DEA. Any changes to researcher status can be reported to Chemical Safety at 713-500-5832.

13 GUIDE FOR COMPLETING A DEA-225 REGISTRATION APPLICATION

In order to legally acquire controlled substances, an individual must be registered and licensed with the DEA. Although applying online is the easiest and fastest way to register, applications can also be made by mail. In Texas, only individuals with current federal DEA registration can legally procure and use controlled substances. Each principal investigator using CS's must obtain their own DEA registration. Notably, as of September 1, 2016, researchers will no longer be required to register through the Department of Public Safety to register with the DEA.

13.1 Registration for Different Business Locations

According to 21 C.F.R. § 1301.12, "A separate registration is required for each principal place of business or professional practice at one general physical location where controlled substances are manufactured, distributed, imported, exported, or dispensed by a person." As stated, each registrant must have a current DEA registration for their principal place of business (ie. laboratory, clinic, or pharmacy) if activities using CS's are conducted at that location. If a registrant has more than one laboratory where CS's are used, then each laboratory must have a separate registration. Furthermore, all CS's obtained for a specific location must be procured using its corresponding registration information.

The address where CS's will be delivered must be consistent with the business address, exactly as it appears on the DEA Form 223. Delivery companies are expected to only deliver to the location printed on the DEA Form 223 and must be received only by the registrant or an authorized agent delegated with a power of attorney at that specific registered location.

13.2 Registration Options

For practitioners holding an "Institutional Dispenser" registration, 21 C.F.R. § 1301.13(e) provides guidance regarding coincident activities and the conduct of research or instructional activities with CS's. Most animal research using CS's in approved UTHealth protocols are considered a coincident activity.

a. **Non-practitioner:** researchers must complete a DEA Form 225 researcher application to obtain a DEA-223 research registration.

b. **Practitioner:** researchers holding current "Institutional Dispenser" registration must choose one of the following options: (1) change the address on their current DEA practitioner registration to the address to the laboratory address where CS's will be stored

and used for research purposes; or (2) preferably, obtain or complete a separate DEA Form 225 research application.

13.3 Schedule I Registrations

Individual registration is required for the use of Schedule I drugs, which is a separate DEA Form 225 registration from Schedule II-V substances. Initial Schedule I applications cannot be made online via CSOS. Meaning, researchers requiring Schedule I drugs must submit a paper form DEA Form 225 application and follow the registration protocol found in 21 C.F.R. § 1301.18. Most importantly, Schedule I registrations may not be issued to or used by anyone other than the registrant. If additional personnel need to used Schedule I substances, they must individually register with the DEA. The paper version of the DEA Form 225 can be obtained via https://www.deadiversion.usdoj.gov/drugreg/reg_apps/225/225_form.pdf.

13.4 Schedules II-V Registrations

For new federal registrations involving Schedules II –V drugs, researchers must initially complete the DEA Form 225; DEA Form 225-a is completed for renewal applications. Because UTHealth is a state institution, UTHealth personnel are exempt from the federal registration fee. The preferred registration option by the DEA is for registrants to complete the online application.

13.5 Protocols

When completing the online application, the DEA does not request information regarding animal use protocols. The DEA, nevertheless, may require seeing a copy of the protocol/s during the on-site inspection. If a registrant has more than one protocol then all protocols may be covered under the same registration.

13.6 Registration Renewal

Annual renewal of research registrations is due on the anniversary of the initial approval. Renewal notices are mailed by the DEA 45 days prior to the expiration date to the last address listed in the DEA's files. The U.S. Postal Service will not forward a renewal application to a new address. Be sure to contact the DEA if you have/need to change your business or mailing address during an approval period. At the anniversary date, you have 30 days to renew the registration, otherwise, it will be automatically suspended. The procedures for applying for the annual renewal are the same as the original registration. A re-inspection of the holding location is atypically performed.

13.7 Changes to a Registration

Changes to an approved registration can be done by submitting a registration change request by following https://www.deadiversion.usdoj.gov/drugreg/index.html#regapps under "Make Changes to my DEA registration." Please note that changes will become effective only after DEA approval. Additionally, a DEA field agent may contact the registrant prior to granting approval. Once approved, a new Certificate of Registration will be mailed to the registrant.

13.8 Relinquishing a Registration

If a registrant wishes to relinquish their registration prior to the annual renewal date, a DEA Form 104 must be completed and sent to the local DEA field office. Alternatively, the DEA Houston Division Office can be contacted directly to inform intent to do so. If a registrant no longer requires the use of CS's or is no longer a UTHealth employee, then the registrant must dispose of the CS's or transfer them to another approved registration. DEA regulations do not require any further action by DEA's Administrator in terminating a DEA registration after the submission of a voluntary surrender, and treats the submission of such a surrender form as an immediate termination of the registration. The only further action taken by DEA is the entry of the surrender into DEA's registration database.

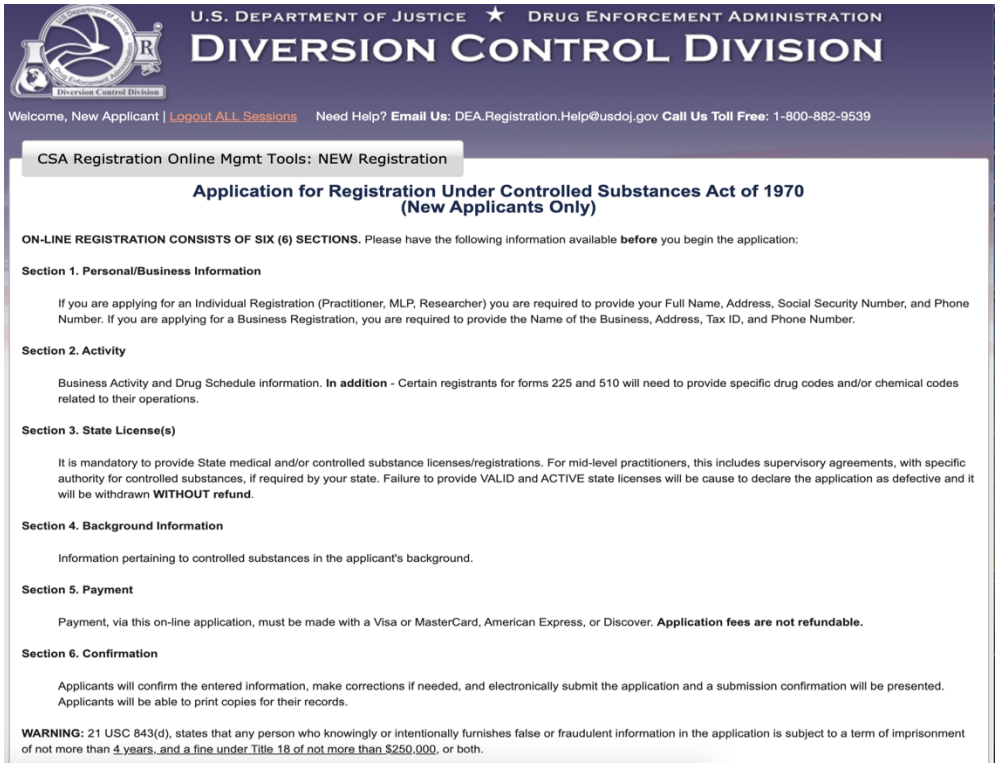
13.9 Relocation to Another Institution

If a registrant is relocating and plans to continue research at another institution, then a new registration is required for that location even if the same controlled substances will be used and for the same purpose. Contact your local DEA office to discuss all the available options in this circumstance.

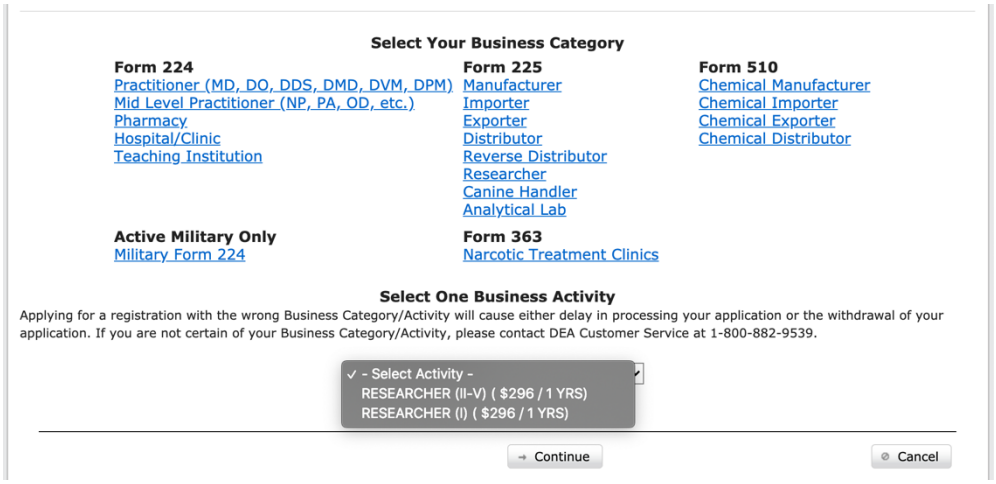
13.10 Registration Process and Requirements

The online registration process consists of six sections. All pertinent information must be supplied for by the applicant. Full description of each section is adapted from the DEA Diversion Control Division – New Applications webpage.[3] Full details on the application process can be viewed on https://www.deadiversion.usdoj.gov/drugreg/reg_apps/225/225_instruct.htm.

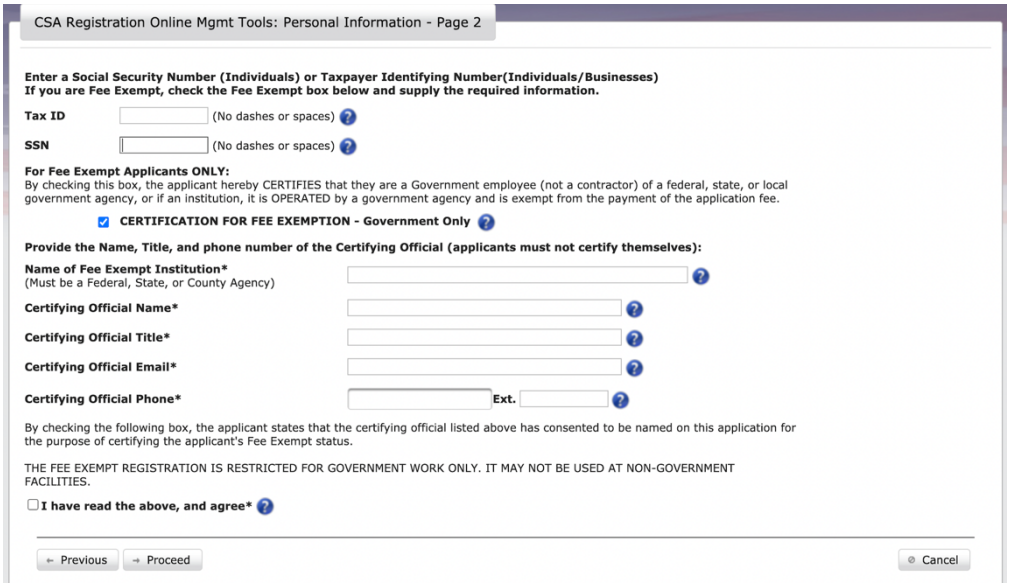
a. Visit https://www.deadiversion.usdoj.gov/index.html and click on "New Applications." Read the directions in the new window.



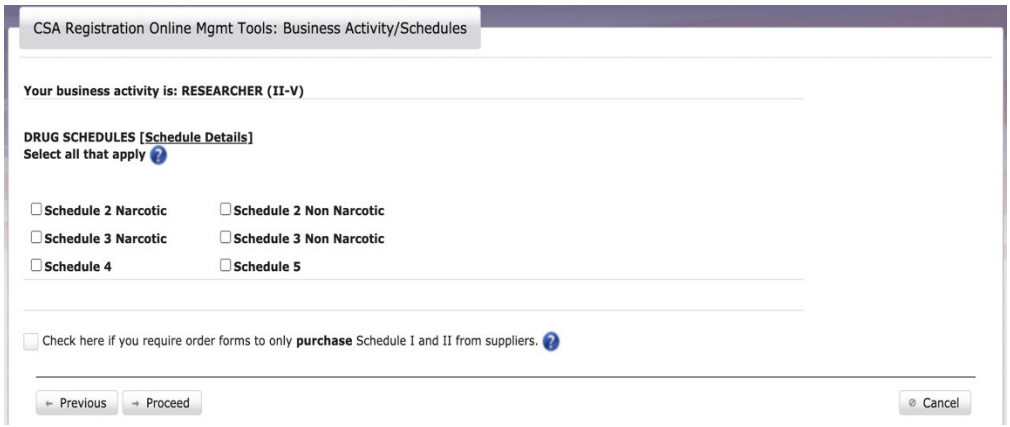
b. When completed reading, select an appropriate "Business Category" under Form 225 and select the appropriate "Business Activity" from the drop-down menu. Click "Continue" to resume the application.



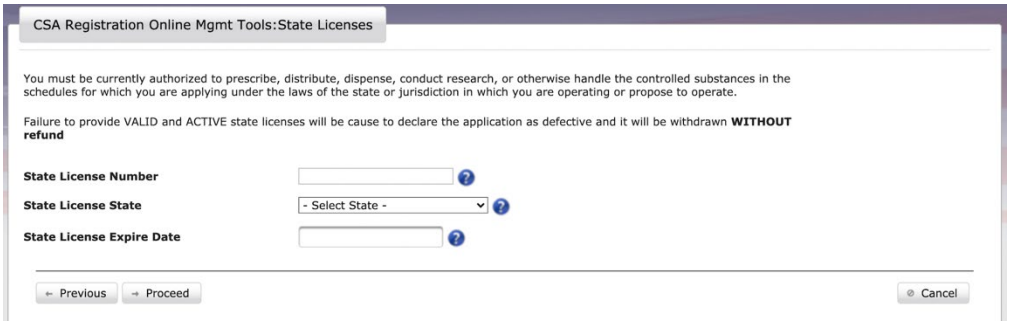
c. **Section 1: Personal/Business Information** - For an Individual Registration (Practitioner, Mid-level Practitioner (MLP), Researcher), it is required to supply the applicant's Full Name, Address, Social Security Number, and Phone Number. For a Business Registration, it is required to provide the Name of the Business, Address, Tax ID, and Phone Number. Provide information of the Department Head as the "Certifying Official."



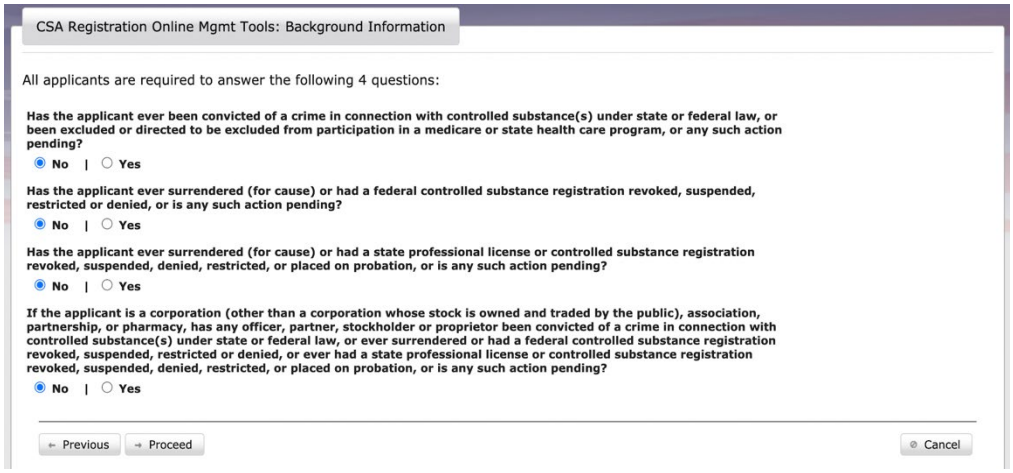
d. **Section 2: Activity** - This refers to the description of activities implemented by an individual and/or a business as well as the Drug Schedule information. In addition, certain Form 225 and Form 510 registrants will need to provide specific operations-related drug and/or chemical codes. The image below shows the "Activity" screen. The activity for this sample application is "Researcher (II-V)." Check the appropriate drug schedule/s being applied for. Click on "Proceed."



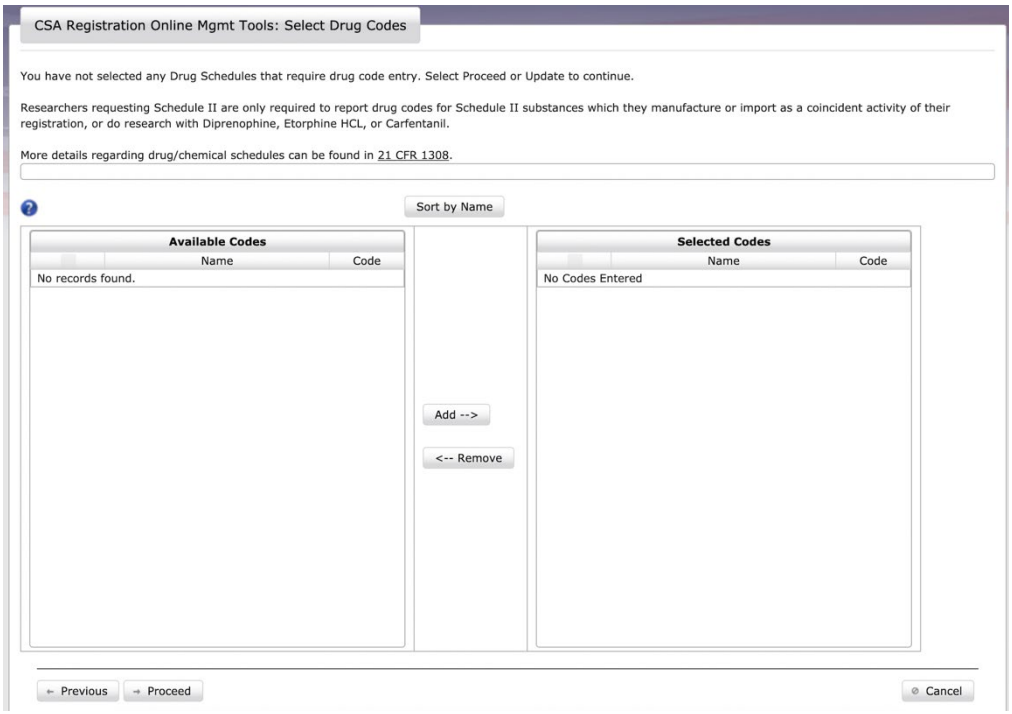
e. Section 3: State License(s) – No longer required. Click on "Proceed."



f. **Section 4: Background information** - Information concerning controlled substances in the applicant's background. Answer the 4 questions, then click on "Proceed".



g. The next page prompts you to select Drug Codes for the Schedules you selected in Section 2. Researchers requesting Schedules II-V drugs are only required to report drug codes for Schedule II substances which they manufacture or import, so most can simply click and go on to the next section. (Drug schedules and codes can be obtained from the "orange book" published and updated by the DEA; a copy can be accessed via https://www.deadiversion.usdoj.gov/schedules/orangebook/c_cs_alpha.pdf)



h. **Section 5: Payment -** UTHealth employees are exempt from fees. Click on "Proceed."

i. **Section 6: Confirmation** - Applicants will be able to confirm information details, make necessary corrections, and electronically submit the application. Once the submission is confirmed, applicants will be able to print copies for their records. Applications submitted electronically will receive a receipt containing a unique DEA/Control number, which can be used to access the application later on.

13.11 Timeline for Obtaining a DEA Registration and Purchasing Controlled Substances

a. **Timeline:** While the online application process only requires few minutes, it may take several months to coordinate a visit with the DEA. After the on-site inspection, it may take several months more before your DEA license is issued. Given these variables, it is reasonable to expect that the entire licensing process to take 2 to 6 months.

b. **Meeting with the DEA:** Once the DEA District Office receives your application, they will contact you to arrange a meeting or phone interview. A questionnaire typically follows/covers the following questions, but is not "standardized". The purpose of the meeting and for completing the questionnaire is to familiarize you with the responsibilities of holding a DEA registration, and for the DEA to obtain information about your research, the individuals

involved, an estimate of the amount of each agent you plan to use, and how you plan to source the drugs. Other items addressed on both the registration questionnaire and laboratory inspection may include:

1. Identifying the vendor(s) from which controlled substances will be obtained (i.e. name, address, phone number, and registration number of the vendor/supplier);

2. Reviewing the procedures for the delivery and receipt of controlled substances (i.e. the drugs must be hand-delivered to the registrant or an authorized agent);

3. Reviewing the documentation and recordkeeping procedures for controlled substance inventory, dispensing, and disposal in the registered location; and

4. Inspection of the storage location for your controlled drugs. If your storage location is ready for inspection during the on-site meeting then the DEA agent can inspect it that day. If not, then the DEA agent may have to return later to perform the inspection, which can delay your approval.

13.12 Application by Mail

Initial Schedule I and new applications can be sent via mail. The DEA Form 225 can be obtained via https://www.deadiversion.usdoj.gov/drugreg/reg_apps/225/225_form.pdf. Paper forms should be mailed to:

Drug Enforcement Administration
Registration Section / ODR
P.O. Box 2639
Springfield, VA 22152-2639

14 REFERENCES

1 Laboratory Guidelines for Managing Controlled Substances in Research Laboratories (CSG), 2012. University of Iowa Controlled Substances Information. https://animal.research.uiowa.edu/dea-drug-enforcement-administration-information (accessed October 23, 2020).

2 Drug Supply Program Catalog, 2nd Ed., 2015. National Institute on Drug Abuse. https://www.drugabuse.gov/sites/default/files/ndspcat24thedmarch2015.pdf (accessed October 23, 2020).

3 Application for Registration Under Controlled Substances Act of 1970 (New Applicants). https://apps.deadiversion.usdoj.gov/webforms2/spring/main?execution=e1s1 (accessed October 26, 2020).

4 Controlled Substances, 2020. Drug Enforcement Administration Diversion Control Division. https://www.deadiversion.usdoj.gov/schedules/orangebook/c_cs_alpha.pdf (accessed October 26, 2020)

5 UK Researcher Guide for the Use of DEA Controlled Substances, 2015. University of Kentucky Environmental Health & Safety. https://ehs.uky.edu/docs/pdf/dea-controlled-substance-research-guide.pdf (accessed October 26, 2020).

6 Controlled Substance Researchers' Guide, 2019. Harvard University Environmental Health & Safety. https://www.ehs.harvard.edu/files/controlled_substance_researchers_guide.pdf (accessed November 1, 2020).

7 Individual Investigator Use of Controlled Substances in Non-Therapeutic Research, 2016. Ohio State University Environmental Health & Safety. http://orc.osu.edu/files/Individual-Investigator-Use-of-Controlled-Substances-In-Non-Therapeutic-Research.pdf (accessed November 5, 2020).

8 Pharmacist's Manual: An Informational Outline of the Controlled Substances Act, 2020. Drug Enforcement Administration Diversion Control Division. https://www.deadiversion.usdoj.gov/pubs/manuals/(DEA-DC-046)(EO-DEA154)_Pharmacist_Manual.pdf#search=pharmacist%20manual (accessed November 5, 2020).

9 U.S. Congressional Research Service. The Controlled Substances Act (CSA): A Legal Overview for the 116th Congress (R45948; Oct 9, 2019), by Joanna R. Lampe. https://fas.org/sgp/crs/misc/R45948.pdf (accessed November 5, 2020).

Frequently Asked Questions

What are the most important aspects of UTHealth's Controlled Substance Program?

UTHealth EH&S can help answer questions about DEA registrations, storage, and handling of controlled substances, how to discard expired or unused controlled substances, and recordkeeping requirements. Give us a call at 713-500-8100 for more information.

What are controlled substances?

Controlled substances are any chemical agents or drugs that are regulated by the federal government under the Controlled Substances Act (CSA) and the Code of Federal Regulations (21 CFR, part 1300 to end).

Is any registration needed for the state of Texas in addition to the DEA registration?

As of September 1, 2016, researchers will no longer be required to register through the Department of Public Safety. This is great news for researchers as it's one less expiration date to track and one less fee to pay.

What are controlled substance schedules?

The DEA assigns each controlled substance a schedule number (I through V) according to its medicinal value, harmfulness, and potential for abuse or addiction. A higher schedule number indicates the substance has more medicinal value and less potential for abuse or addiction. The letter "N" following the schedule number signifies the substance is non-narcotic (e.g. IIIN). The DEA code is a 4-digit number assigned to each controlled substance. Please check your DEA registration DEA for the specific substances that are registered under your license.
DEA Controlled Substances Schedules and Codes
DEA Orange Book

The most common controlled substances used in research and respective schedule numbers and DEA codes are listed below.

Controlled Substance	Schedule	DEA Code
Buprenorphine	III	9064
Diazepam	IV N	2765
Ketamine	III N	7285
Pentobarbital (e.g., Nembutal)	II N	2270

Can other people working in my lab handle/use the controlled substances?

The licensed researcher is the principal investigator. The PI can establish a list of Authorized Agents who may oversee the ordering, use, and management of the controlled substances, but the PI is ultimately responsible for all that pertains to the controlled substances. To reduce diversion of controlled substances, the list of authorized agents should be kept to the absolute minimum.

Who can I contact with questions regarding applications and licensing?

UTHealth EH&S can help answer questions at 713-500-8100. You can also contact the DEA Houston Division office at 713-693-3660.

Are laboratory personnel able to use controlled substances?

Authorized users should not have key/code access to the controlled substance storage area. Laboratory personnel can work freely on approved experiments without having access to the bulk storage areas.

Section 3 of the application requests a State License Number. What do I put here?

Texas no longer requires registration with the Department of Public Service. Leave this section blank.

Section 5 of the DEA Application mentions fee exemption. Am I eligible for this?

As an employee of a state university, you qualify for fee exemption. Your Department Chair/supervisor will verify your employment status on the registration (certifying official signature line in Section 5).

When will I need to renew my license?

Renewals will be required every 3 years or annually depending on the registration category. The "Researcher" category must be renewed annually. The expiration date will be listed on your license. The DEA started sending electronic renewal reminders in 2017. They will no longer be sent by paper mail. Reinstatement of expired registrations is allowed for one calendar month after the expiration date. Any time past that one month window will require a new application.

Can I transfer my controlled substances to another PI at the university?

The DEA must approve the transfer to the authorized PI and both parties must maintain documentation of the transfer.

I work and store my controlled substances in a shared lab space. Can other PIs share my controlled substance storage cabinet?

No, every researcher should obtain and use their own safely secured lockbox.

How do I dispose of my controlled substances?

Disposal of controlled substances is done through a third party reverse distributor. Schedule I and II require DEA form 222 for disposal, but schedules III-V can be transferred simply with an invoice. Disposal documentation must be held for at least 2 years. Reverse distribution is not free of charge, and the cost ultimately depends on the type and quantity of substance to be disposed. Disposal of controlled substances can be charged as direct cost on grants.

Can UTHealth EH&S dispose of or store my controlled substances?

No. EH&S can only assist with locating a reverse distributor. Call EH&S at 713-500-8100 for assistance.

Will I be subject to compliance inspections?

Yes. As a courtesy, EH&S will survey all controlled substance researchers' records, use, and storage at least annually. The DEA also has the authority to inspect your facilities at any time.

The EH&S Controlled Substance Researcher Guide mentions a biennial inventory is required. What is this?

Researchers must inventory all the controlled substances in their possession at the open or close of business as mandated by 21 C.F.R. § 1304.11(b).

Which federal laws state all these requirements?

The Controlled Substance Act of 1970 and the Code of Federal Regulations, 21 C.F.R., part 1300 to end.

Controlled Substance Authorized Personnel Screening Form

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**
DEA Registration #:	

The Drug Enforcement Agency requires that any person, who will have access to controlled substances as a result of his or her status as an employee or agent of the University of Texas Health Science Center at Houston, answer the following questions. Any false information or omission of information may jeopardize your position with respect to employment. Information revealed by this questionnaire will not necessarily preclude employment, but will be considered as part of an overall evaluation of your qualifications. The responses on this questionnaire will be held in the strictest confidence.

1. In the past five years, have you been convicted of a felony, or within the past two years of any misdemeanor, or are you presently charged with committing a criminal offense? (Do not include traffic violations, juvenile offenses or military convictions, except by general court-martial.) If the answer is yes, furnish details of conviction, offense, location, date and sentence.

Yes_____ **No_____**

_____

2. In the past three years, have you ever knowingly used any narcotics, amphetamines or barbiturates, other than those prescribed to you by a physician? If the answer is yes, furnish details.

Yes_____ **No_____**

_____

3. Have you ever had an application for registration with the DEA denied, revoked, or surrendered for cause? If the answer is **YES**, furnish details:

Yes_____ **No_____**

_____

Name of Personnel: _____ Signature of Personnel: _____

Name of Registrant: _____ Signature of Registrant: _____

Signed and dated on (current date): _____

Reference: 21 CFR § 1301.90

Authorized Power of Attorney for DEA Form 222 and Electronic Order

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**
DEA Registration #:	

I, _____ (name of person granting power), the undersigned, who am authorized to sign the current application for registration of the above-named registrant under the Controlled Substances Act or Controlled Substances Import and Export Act, have made, constituted, and appointed, and by these presents, do make, constitute, and appoint _____ (name of attorney-in-fact), my true and lawful attorney for me in my name, place, and stead, to execute applications for Forms 222 and to sign orders for Schedule I and II controlled substances, whether these orders be on Form 222 or electronic, in accordance with **21 U.S.C. 828** and **Part 1305** of Title 21 of the Code of Federal Regulations. I hereby ratify and confirm all that said attorney must lawfully do or cause to be done by virtue hereof.

I, _____ (name of attorney-in-fact), hereby affirm that I am the person named herein as attorney-in-fact and that the signature affixed hereto is my signature.

Signature of person granting power: _____ Signature of Witness #1: _____

Signature of attorney-in-fact: _____ Signature of Witness #2: _____

Signed and dated on (current date): _____

Notice of Revocation (To be completed only when POA is revoked)

The foregoing power of attorney is hereby revoked by the undersigned, who is authorized to sign the current application for registration of the above-named registrant under the Controlled Substances Act or the Controlled Substances Import and Export Act. Written notice of this revocation has been given to the attorney-in-fact _____ this same day.

Signature of person granting power: _____ Signature of Witness #1: _____

Signed and dated on (current date): _____ Signature of Witness #2: _____

Reference: 21 CFR § 1305.05

Controlled Substance Registrant-to-Registrant Transfer Form

Transferor:	**Registrant Address: (as it appears on DEA Form 223)**
DEA Registration #:	
E-mail:	**CS Storage Location: (if different from Registrant's address)**
Phone #:	
Reason for transfer:	

Transferee:	**Registrant Address: (as it appears on DEA Form 223)**
DEA Registration #:	
E-mail:	**CS Storage Location: (if different from Registrant's address)**
Phone #:	
Protocol/s where transferred CS will be used:	

Name of Substance	CSA Sched.	Conc.	Cont. Size	Amt. in Cont.	Manufacturer	Transferor Cont. ID	Transferee Cont. ID

Signature of Transferor:	**Date:**
Signature of Transferee:	**Date:**

Additional Notes: (1) The following transfer was made between the listed DEA registrants. Each registrant certifies to hold approval on their respective DEA registration to possess the schedule of the listed transferred controlled substance/s. (2) The "Transferor" attests that this transfer does not exceed their individual 5% annual limit of transfer of any of the listed controlled substance. (3) Both the "Transferor" and the "Transferee" should assure that their general inventory records for each transferred controlled substance is appropriately reconciled to document the transfers. (4) Schedules I and II drugs also require the use of the DEA Form 222.

Controlled Substances Authorized Personnel Log

Note: (1) This list contains names of individuals who have been granted access by the registrant to controlled substances for the listed DEA registration. (2) Individuals listed below must complete the "Controlled Substance Authorized Personnel Screening Form". (3) Designation can either be an "Authorized Agent" or "Authorized Personnel". (4) Pertinent dates must be properly initialed by the DEA Registrant.

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**

Full Name of Authorized User (Print Full Name)	Designation (Authorized Agent or Authorized User)	Legal Signature of Authorized User	Authorized User Initials	Date Access Granted	Date Access Removed

Record of Receipt: Procured Controlled Substance/s

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**
Authorized Agent:	

Name of Drug	Date Received	Container ID	Manufacturer	Lot #	Vendor	CSA Schedule	Expiration Date	Invoice Shipping Document #

Controlled Substance Initial Inventory (Schedules I and II Only)

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**		
DEA Registration #:			
Received by:		**Received Time:**	**Received Date:**
Receiver Signature:		**Vendor:**	

Name of Drug	DEA #	CSA Schedule	Container Unit Type	# of Containers	Container volume, weight, etc.	Conc.

Note to receiver: (1) Verify that all substances listed above were properly received and appropriately secured in the designated inventory safe/cabinet. (2) This form is only to be used for drugs of Schedules I & II classifications only; create a separate page for Schedules III-V drugs. (3) Attach the pertinent DEA Form 222's.

Controlled Substance Initial Inventory (Schedules III, IV, and V Only)

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**		
DEA Registration #:			
Received by:		**Received Time:**	**Received Date:**
Receiver Signature:		**Vendor:**	

Name of Drug	DEA #	CSA Schedule	Container Unit Type	# of Containers	Container volume, weight, etc.	Conc.

Note to receiver: (1) Verify that all substances listed above were properly received and appropriately secured in the designated inventory safe/cabinet. (2) This form is only to be used for drugs of Schedule III, IV, and V classifications only; create a separate page for Schedules I & II drugs.

Record of Use: Controlled Substances Running Dispensation Log Form

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**	
Name of Drug:		
Lot/Serial #:	**Container Amount:**	**Concentration:**
Expiration Date:	**Container ID:**	**Form:**
Date received:		**Manufacturer:**
Other Comment/s:		
Disposal Information (if container expired before being used up):		

Note: (1) One log form must be completed for EACH CONTAINER of controlled substance. (2) If the drug is diluted, start a new log form to keep track of that usage. (3) Reference the lot/serial # of the original container and note this in "Other Comments". (4) Record quantities to the nearest metric unit (ie. weight or volume) or total number of units in finished form.

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
1							
2							
3							
4							
5							
6							

Record of Use: Controlled Substances Running Dispensation Log Form (Page 2)

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Record of Use: Single/Diluted Injectable Drug Dispensation Log Form

Registrant:			**Registrant Address: (as it appears on DEA Form 223)**	
Date Mixed:				
New Drug Info:				
New Container ID:		**New Container Amt:**	**Expiration Date:**	
Drug/Vehicle	**Stock Strength/Conc., mg/mL**	**Aliquot Amount, mL**	**Container ID (Manufacturer)**	**Lot #**
1)				
2)				
	Total volume, mL		**Final concentration, mg/mL:**	

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
1							
2							
3							
4							
5							
6							
7							

Record of Use: Single/Diluted Injectable Drug Dispensation Log Form (Page 2)

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Record of Use: Mixed (2) Injectable Drug Dispensation Log Form

Registrant:		**Registrant Address: (as it appears on DEA Form 223)**		
Date Mixed:				
New Drug Info:				
New Container ID:		**New Container Amt:**	**Expiration Date:**	
Drug/Vehicle	**Stock Strength/Conc., mg/mL**	**Aliquot Amount, mL**	**Container ID (Manufacturer)**	**Lot #**
1)				
2)				
3)				
	Total volume, mL		**Final concentration, mg/mL:**	

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
1							
2							
3							
4							
5							
6							

Record of Use: Mixed (2) Injectable Drug Dispensation Log Form (Page 2)

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Record of Use: Mixed (3) Injectable Drug Dispensation Log Form

Registrant:		**Registrant Address: (as it appears on DEA Form 223)**		
Date Mixed:				
New Drug Info:				
New Container ID:		**New Container Amt:**	**Expiration Date:**	
Drug/Vehicle	**Stock Strength/Conc., mg/mL**	**Aliquot Amount, mL**	**Container ID (Manufacturer)**	**Lot #**
1)				
2)				
3)				
4)				
	Total volume, mL		**Final concentration, mg/mL:**	

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
1							
2							
3							
4							
5							
6							

Record of Use: Mixed (3) Injectable Drug Dispensation Log Form (Page 2)

	Date and Time	Protocol #	Activity Type (ie. anesthetic, euthanasia, dilution, etc.)	Amount at Start of Business Day (mL, tablets, etc.)	Amount Removed (mL, tablets, etc.)	Amount Remaining (mL, tablets, etc.)	Signature of Authorized Individual
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							

Biennial Controlled Substance Inventory Form (Schedules III, IV, and V Only)

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**	
DEA Registration #:		
Date and Time of Inventory:	**Inventory Performed by:**	**Signature:**
	Inventory Witness:	**Signature:**

Name of Drug	Finished Form	CSA Sched.	DEA #	Unopened Containers		Opened Containers		
				Qty	Container Size	Qty	Container Size	Remaining Amount

Additional Notes: (1) Unused line/s must be marked off. (2) Inventory record must be kept and readily retrievable at the location consistent with the DEA registration Form 223. (3) Separate inventory is required for each registered location. (4) A separate inventory form is required for Schedules I & II drugs. (5) List open containers as separate line items. (6) Finished form refers to the finished dosage form of the drug. (7) Finished forms (Quantity): Powder or crystals (weight), Liquids (volume), Tablets or capsules (number of units). (7) Record approximate quantity for opened containers of Schedule III, IV, and V drugs.

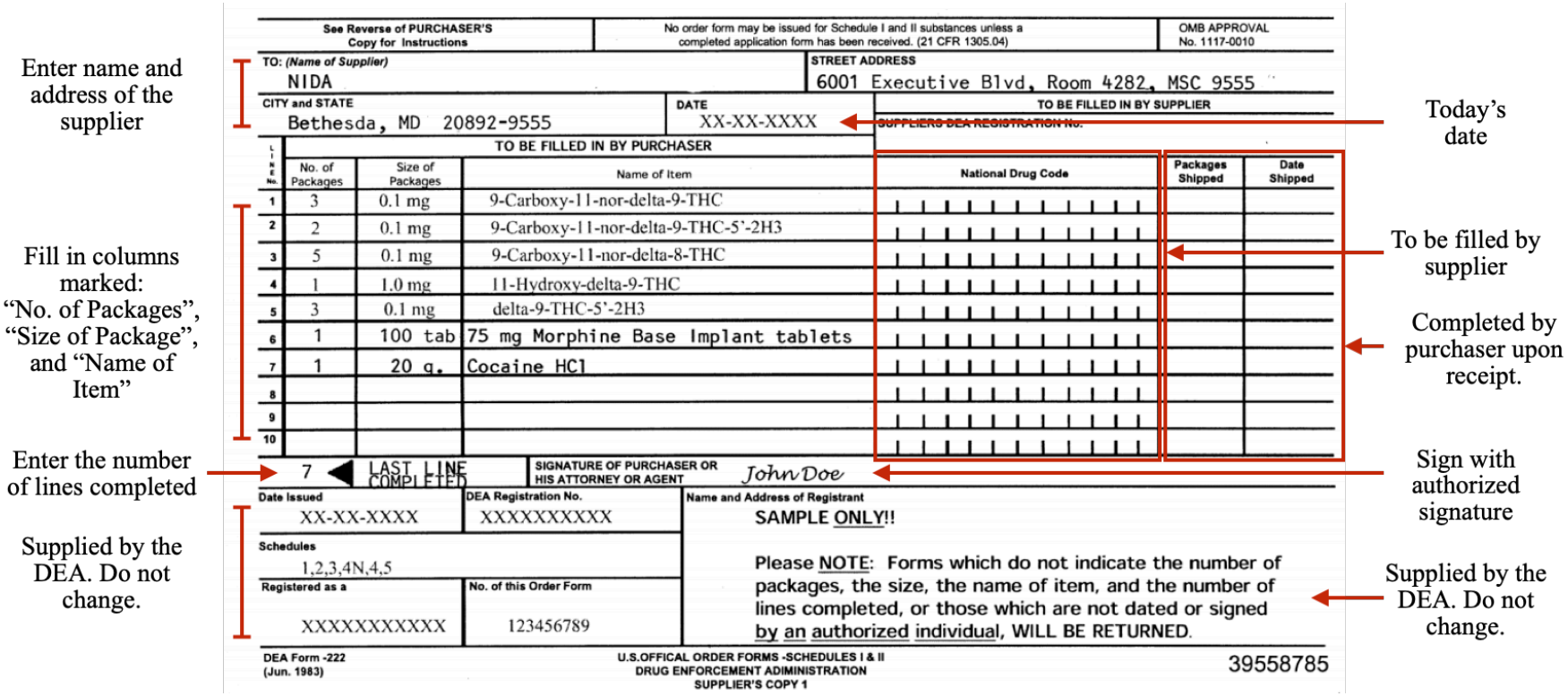
Biennial Controlled Substance Inventory Form (Schedules I and II Only)

Registrant:	**Registrant Address: (as it appears on DEA Form 223)**	
DEA Registration #:		
Date and Time of Inventory:	**Inventory Performed by:**	**Signature:**
	Inventory Witness:	**Signature:**

Name of Drug	Finished Form	CSA Sched.	DEA #	Unopened Containers		Opened Containers		
				Qty	Container Size	Qty	Container Size	Remaining Amount

Additional Notes: (1) Unused line/s must be marked off. (2) Inventory record must be kept and readily retrievable at the location consistent with the DEA registration Form 223. (3) Separate inventory is required for each registered location. (4) A separate inventory form is required for Schedules III, IV, and V drugs. (5) List open containers as separate line items. (6) Finished form refers to the finished dosage form of the drug. (7) Finished forms (Quantity): Powder or crystals (weight), Liquids (volume), Tablets or capsules (number of units). (7) Record exact quantity for opened containers of Schedule I and/or Schedule II drugs.

Example of a Properly Completed DEA Form 222



Additional notes: (1) Forms with errors (ie. cross outs, "write-overs", and/or initialed) must be retained and voided by writing "VOID". (2) Purchaser sends to the supplier Copy #1 (brown) and Copy #2 (green) attached with carbon intact. (3) Supplier completes pertinent sections of the form and mails Copy #2 to the DEA. (3) Purchaser keeps Copy #3 (blue). (4) Annotate copy with actual amount received ("Package Shipped") and date of receipt ("Date Shipped"). (5) Form 222 Copy #3 is kept along with other CS records.

Adapted from drugabuse.gov