

MINUTES OF THE DECEMBER 12, 2025
SPECIAL MEETING OF THE OHIO BOARD OF PHARMACY

Friday, December 12, 2025

1:21 p.m. Pursuant to Section 3719.45 of the Ohio Revised Code, the Ohio Board of Pharmacy convened a telephone conference call for the purpose of considering the placement of mitragynine-related compounds, which are some of the main active constituents of the plant kratom and substances synthesized from those compounds, into Schedule I with the following members present:

Jeff Huston, RPh, *President*; Jason George, RPh, *Vice President*; Anthony Buchta, Sr., RPh; Trina Buettner, RPh; Mindy Ferris, RPh; TJ Grimm, RPh; Leonard Hubert, *Public Member*; Rich Miller, RPh; and Tom Whiston, RPh.

Also present were Steven Schierholt, *Executive Director*; Sharon Maerten-Moore, *Chief Legal Counsel*; Ashley Gilbert, *Senior Legal Counsel*; Eric Griffin, *Director of Compliance and Enforcement*; Jenni Wai, *Chief Pharmacist*; Zoe Saadey, *Senior Legal Counsel*; Karrie Southard, *Director of Operations*; Jennifer Nelson, *Legal Administrator*; Richelle Johnson, *Legal Administrative Assistant*; and Ryan Collins, *Executive Coordinator*.

1:22 p.m. Mr. Huston stated the reason of the meeting and turned the topic over to Ms. Maerten-Moore

1:22 p.m. Ms. Maerten-Moore presented the Board's emergency scheduling authority which allows a compound, mixture, preparation or substance not previously scheduled to be added to schedule I.

1:23 p.m. Ms. Wai presented a three-factor analysis based on the actual or relative potential for abuse, the scope, duration, and significance of that abuse, and the risk it poses to the public health

1:31 p.m. President Huston inquired of the Board whether there were questions or comments on the three-factor analysis presented by Ms. Wai. Upon hearing no comments, President Huston entertained a motion for proposing mitragynine-related compounds be controlled in Schedule I.

R-2026-0249 Ms. Ferris moved that the Board request an emergency rule filing from the Office of Governor DeWine for 4729:9-1-01.1 – Mitragynine-Related Compounds to address risk to the public's Health. The motion was seconded by Mr. Grimm and a roll-call vote was conducted by President Huston as follows: George-yes; Buchta-yes; Buettner-yes; Ferris-yes; Grimm-yes; Hubert-yes; Miller-yes, and Whiston-yes and approved by the Board: Yes-8, No-0. The following emergency rule was adopted by the Board for presentation to the Governor's Office:

4729:9-1-01.1 – Mitragynine-Related Compounds (NEW)

The following are classified as schedule I controlled substances:

(A) Mitragynine-related compounds, whether synthetic or naturally occurring substances contained in the plant, or in the resinous extractives of *mitragyna speciosa* (also known as kratom) and/or synthetic substances, derivatives, prodrugs, isomers, esters, ethers, salts and salts of isomers, esters and ethers with similar chemical structure.

Mitragynine-related compounds include, but are not limited to, the following: 7-hydroxymitragynine; mitragynine pseudoindoxyl; dihydro-7-hydroxy mitragynine; and 7-acetoxymitragynine. Mitragynine-related compounds do not include any of the following:

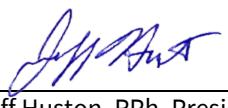
- (1) Any dangerous drug that is the subject of an application approved by the United States food and drug administration under subsections 505(c) or (j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c) or (j)) (December 12, 2025) for marketing as a dangerous drug;
- (2) Any compound used in food consistent with either:
 - (a) A food additive regulation published in the United States code of federal regulations; or
 - (b) A “no questions response” issued by the United States food and drug administration in response to a generally recognized as safe notice.
- (3) Any drug approved by the United States food and drug administration to that may be lawfully sold over the counter without a prescription in accordance with section 505G of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355h) (December 12, 2025).
- (4) Mitragynine.

R-2026-0250

Ms. Ferris moved to adjourn the December 12, 2025, Special Meeting of the Ohio Board of Pharmacy. The motion was seconded by Mr. Hubert and a roll-call vote was conducted by President Huston as follows: George-yes; Buchta-yes; Buettner-yes; Ferris-yes; Grimm-yes; Hubert-yes; Miller-yes, and Whiston-yes and approved by the Board: Yes-8, No-0.

1:36 p.m.

The business of the meeting thus finished, the Special Board Meeting was ended.



Jeff Huston, RPh, President

Date: 1.6.2026



Steven Schierholt, Executive Director

Date: 1.6.2026