

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1350

5 By: Representative Shepherd
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE PRESCRIPTION DRUG MONITORING
9 PROGRAM ACT; TO EXEMPT VETERINARIANS FROM THE
10 PRESCRIPTION DRUG MONITORING PROGRAM; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND THE PRESCRIPTION DRUG MONITORING
15 PROGRAM ACT; AND TO EXEMPT VETERINARIANS
16 FROM THE PRESCRIPTION DRUG MONITORING
17 PROGRAM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 20-7-603(3), concerning the definition of
24 dispenser in the Prescription Drug Monitoring Program Act, is amended to read
25 as follows:

26 (3)(A) "Dispenser" means a practitioner who dispenses.

27 (B) "Dispenser" does not include:

28 (i) A licensed hospital pharmacy when it is
29 distributing controlled substances for the purpose of outpatient services,
30 inpatient hospital care, or at the time of discharge from a hospital, except
31 for a pharmacy owned by a hospital that has a retail pharmacy permit when the
32 pharmacy is distributing controlled substances directly to the public;

33 (ii) A wholesale distributor of Schedules II-V
34 controlled substances; ~~or~~

35 (iii) A practitioner or other authorized person who
36 administers a controlled substance; or



1 (iv) A veterinarian licensed by the Veterinary
 2 Medical Examining Board;

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 4 SECTION 2. Arkansas Code § 20-7-603(7), concerning the definition of
 5 practitioner in the Prescription Drug Monitoring Program Act, is amended to
 6 read as follows:

7 (7) "Practitioner" means:

8 (A) A physician, dentist, ~~veterinarian~~, advanced practice
 9 nurse, physician assistant, pharmacist, scientific investigator, or other
 10 person licensed, registered, or otherwise permitted to prescribe, distribute,
 11 dispense, conduct research with respect to, or to administer a controlled
 12 substance in the course of professional practice or research in this state;
 13 and

14 (B) A pharmacy, hospital, or other institution licensed,
 15 registered, or otherwise permitted to distribute, dispense, conduct research
 16 with respect to, or to administer a controlled substance in the course of
 17 professional practice or research in this state;

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 19 SECTION 3. Arkansas Code § 20-7-604(e), concerning the requirements
 20 for the Prescription Drug Monitoring Program, is amended to read as follows:

21 (e) This subchapter does not:

22 (1) prohibit Prohibit licensing boards from requiring
 23 practitioners to access or check the information in the controlled substance
 24 database as a part of a review of the practitioner's professional practice;
 25 or

26 (2) Require a veterinarian licensed by the Veterinary Medical
 27 Examining Board to participate in the Prescription Drug Monitoring Program.

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 29 SECTION 4. Arkansas Code § 20-7-605(c), concerning the Prescription
 30 Drug Monitoring Program Advisory Committee membership, is amended to read as
 31 follows:

32 (c) The committee shall consist of:

33 (1) One (1) representative designated by each of the following
 34 organizations:

- 35 (A) The Arkansas Academy of Physician Assistants;
- 36 (B) The Arkansas Association of Chiefs of Police;

- 1 (C) The Arkansas Drug Director;
- 2 (D) The Arkansas Medical Society;
- 3 (E) The Arkansas Nurses Association;
- 4 (F) The Arkansas Optometric Association;
- 5 (G) The Arkansas Osteopathic Medical Association;
- 6 (H) The Arkansas Pharmacists Association;
- 7 (I) The Arkansas Podiatric Medical Association;
- 8 (J) The Arkansas Prosecuting Attorneys Association;
- 9 (K) The Arkansas Sheriffs' Association;
- 10 (L) The Arkansas State Dental Association;
- 11 ~~(M) The Arkansas Veterinary Medical Association;~~
- 12 ~~(N)~~(M) The State Board of Health; and
- 13 ~~(O)~~(N) The Arkansas Public Defender Commission;
- 14 (2) One (1) mental health provider or certified drug and alcohol
- 15 counselor; and
- 16 (3) One (1) consumer appointed by the Governor.

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