

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1566

5 By: Representatives Haak, Cloud, Lundstrum
6 By: Senator D. Wallace
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
10 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
11 AMENDMENT OF 2016"; TO MODIFY THE DEFINITION OF
12 "WRITTEN CERTIFICATION"; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND ARKANSAS CONSTITUTION, AMENDMENT
16 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL
17 MARIJUANA AMENDMENT OF 2016"; AND TO
18 MODIFY THE DEFINITION OF "WRITTEN
19 CERTIFICATION".
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
26 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
27 Constitution, Amendment 98, §2(19), concerning the definition of "written
28 certification", is amended to read as follows:

29 (19)(A) "Written certification" means a document signed by a
30 physician stating that in the physician's professional opinion, after having
31 completed an assessment of the qualifying patient's medical history and
32 current medical condition made in the course of a physician-patient
33 relationship, the qualifying patient has a qualifying medical condition.

34 (B) A written certification shall specify the qualifying
35 patient's qualifying medical condition, which also shall be noted in the
36 physician's records.



1 (C) A physician shall not issue a written certificate to a
2 patient based on an assessment performed through telemedicine.

3 (D) A written certification is not a medical prescription.

4 (E) A physician shall not issue a written certification to
5 a patient for a qualifying condition that is a mental illness, including
6 without limitation post-traumatic stress disorder or Alzheimer's disease,
7 unless the physician is a board-certified psychiatrist or neurologist;

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36