

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1350

By: Representative Shepherd

For An Act To Be Entitled

AN ACT TO AMEND THE PRESCRIPTION DRUG MONITORING PROGRAM ACT; TO EXEMPT VETERINARIANS FROM THE PRESCRIPTION DRUG MONITORING PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PRESCRIPTION DRUG MONITORING PROGRAM ACT; AND TO EXEMPT VETERINARIANS FROM THE PRESCRIPTION DRUG MONITORING PROGRAM.

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

SECTION 1. Arkansas Code § 20-7-603(3), concerning the definition of dispenser in the Prescription Drug Monitoring Program Act, is amended to read as follows:

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

(B) "Dispenser" does not include:

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

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

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



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

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

(7) "Practitioner" means:

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

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

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

(e) This subchapter does not:

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

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

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

(c) The committee shall consist of:

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

(A) The Arkansas Academy of Physician Assistants;

(B) The Arkansas Association of Chiefs of Police;

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