

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: S2/21/17  
**A Bill**

SENATE BILL 302

By: Senator Irvin  
By: Representative Boyd

### **For An Act To Be Entitled**

AN ACT TO AMEND THE PRESCRIPTION DRUG MONITORING PROGRAM; TO REQUIRE PROFESSIONAL LICENSING BOARDS TO PROMULGATE RULES REQUIRING PRACTITIONERS TO ACCESS THE PRESCRIPTION DRUG MONITORING PROGRAM; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND THE PRESCRIPTION DRUG MONITORING PROGRAM; AND TO REQUIRE PROFESSIONAL LICENSING BOARDS TO PROMULGATE RULES REQUIRING PRACTITIONERS TO ACCESS THE PRESCRIPTION DRUG MONITORING PROGRAM.

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

SECTION 1. Arkansas Code § 20-7-604(d) and (e), concerning the requirements for the Prescription Drug Monitoring Program, is amended to read as follows:

(d)(1) ~~Practitioners are encouraged to access or check the information in the controlled substance database created under this subchapter before prescribing, dispensing, or administering medications.~~ A licensing board that licenses practitioners who have the authority to prescribe Schedule II controlled substances shall adopt rules requiring the practitioners to check the information in the Prescription Drug Monitoring Program at appropriate intervals as determined by the appropriate licensing board when a practitioner prescribes a Schedule II controlled substance.



(2) A licensing board shall not adopt a rule as described in subdivision (d)(1) of this section that is less restrictive than a rule of the Arkansas State Medical Board.

(3) A licensing board that licenses practitioners who have the authority to prescribe may adopt rules:

(A) Requiring practitioners to check the information in the Prescription Monitoring Program when prescribing a Schedule III drug or a benzodiazepine; and

(B) Placing quantity limits on a prescription for any controlled substance.

(e) This subchapter does not prohibit licensing boards from requiring practitioners to access or check the information in the controlled substance database more often than required in subsection (d) of this section as a part of a review of the practitioner's professional practice.

SECTION 2. Arkansas Code § 20-7-611, concerning unlawful acts and penalties regarding the Prescription Drug Monitoring Program, is amended to add an additional subsection to read as follows:

(i) A practitioner who purposely fails to access the Prescription Drug Monitoring Program as required by the licensing board of the practitioner may be subject to disciplinary action by the licensing board of the practitioner.

*/s/Irvin*