

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1566

By: Representatives Haak, Cloud, Lundstrum
By: Senator D. Wallace

For An Act To Be Entitled

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

Subtitle

TO AMEND ARKANSAS CONSTITUTION, AMENDMENT
98, ALSO KNOWN AS THE "ARKANSAS MEDICAL
MARIJUANA AMENDMENT OF 2016"; AND TO
MODIFY THE DEFINITION OF "WRITTEN
CERTIFICATION".

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

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

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

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



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

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

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