

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Ross**

A BILL ACT 796 OF 1991
SENATE BILL 450

For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS POISON AND DRUG INFORMATION
9 CENTER; TO TRANSFER THE POISON CONTROL AND DRUG
10 INFORMATION SYSTEM FROM THE DEPARTMENT OF HEALTH TO THE
11 ARKANSAS POISON AND DRUG INFORMATION CENTER; AND FOR OTHER
12 PURPOSES."

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

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16 SECTION 1. (a) The General Assembly finds and declares that because of
17 the inherent threat of human danger posed by injudicious use, or misuse, of
18 dangerous substances, Arkansas citizens are in need of emergency poison and
19 drug information services and that the public health and welfare require such
20 services.

21 (b) The General Assembly further finds and declares that legislation is
22 required to authorize and provide effective practical delivery of emergency
23 poison and drug information services judgments and responses to physicians and
24 allied health professionals who deliver health care services within this state
25 and if funds permit, to those citizens of this state who request such
26 services.

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28 SECTION 2. As used in this act:

29 (1) "Center" means the Arkansas Poison and Drug Information Center;

30 (2) "Director" means the Director of the Arkansas Poison and Drug
31 Information Center.

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33 SECTION 3. There is created the Arkansas Poison and Drug Information
34 Center within the College of Pharmacy of the University of Arkansas for
35 Medical Sciences. The purpose of the center is to implement a statewide
36 emergency poison and drug information program designed and structured to

1 deliver reliable, accurate, qualified professional judgments and responses to
2 requests for emergency poison and drug information data. The director of the
3 center shall serve at the pleasure of the Dean of the College of Pharmacy of
4 the University of Arkansas for Medical Sciences.

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6 SECTION 4. The director may:

7 (1) Employ any and all coordination measures necessary to effectuate
8 the purposes of this act;

9 (2) Engage in any educational program or effort if, in his judgment,
10 such activity would effectuate the purposes of this act;

11 (3) Employ experts and consultants and compensate those individuals at
12 rates determined by the director;

13 (4) Engage in programs of experimental or demonstrational research;

14 (5) Appoint an advisory committee to assist in the development and
15 review of regulations promulgated under the authority of this act and
16 reimburse the members for their expenses;

17 (6) Accept and administer loans, grants, or other funds and gifts,
18 conditional or otherwise, from the federal government and any and all other
19 public or private sources;

20 (7) Formulate, promulgate, adopt, amend, and enforce rules,
21 regulations, and regulatory standards necessary to effectuate this act;

22 (8) Establish and charge fees for the provision of non-emergency
23 informational and educational services as well as contract therefor;

24 (9) Establish a 1-900 telephone number if funding otherwise precludes
25 twenty four (24) hour coverage consistent with requirements for certification
26 by the American Association of Poison Control Centers.

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28 SECTION 5. The program of the center shall be structured and designed,
29 to the extent resources permit, to meet the criteria for certification as a
30 state poison control center by the American Association of Poison Control
31 Centers.

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33 SECTION 6. (a) Subject to the approval of the Dean of the College of
34 Pharmacy of the University of Arkansas for Medical Sciences, registration or
35 tuition fees or both in the University of Arkansas System are to be waived for

1 those students who provide concurrent services to the center.

2 (b) Any funds at the disposal of the College of Pharmacy can be used to
3 provide scholarships and fellowships to those providing services to the
4 center.

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6 SECTION 7. None of the center personnel or its designees shall incur
7 personal liability or be placed in any legal jeopardy for information
8 proffered in good faith, professional judgments and responses provided for the
9 system, or any good faith professional effort to effectuate the purposes of
10 this act.

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12 SECTION 8. Any individual who shall fraudulently represent himself to
13 be a person entitled to invoke the services of the center when such is not the
14 case and any person who attempts to obtain information later put to illegal
15 use in any way shall, upon conviction, be guilty of a Class B misdemeanor.

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17 SECTION 9. All of the powers, duties, functions, records, personnel,
18 property, unexpended balances of appropriations, allocations, and other funds
19 of the poison control and drug information portions of the Poison Control-Drug
20 Information-Toxicological Laboratory Services Unitary System as provided for
21 in Ark. Code Ann. §20-13-501 through §20-13-511 are hereby transferred to the
22 College of Pharmacy of the University of Arkansas for Medical Sciences. The
23 toxicological laboratory services provided for in Ark. Code Ann. §20-13-501
24 through §20-13-511 shall remain the responsibility of the Arkansas Department
25 of Health.

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27 SECTION 10. All provisions of this act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 11. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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SECTION 12. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly that the public health and safety require that immediate steps be taken to insure immediate passage of this act to protect the citizens of this state from the danger posed by injudicious use of dangerous substances; that this act should become effective at the beginning of the next fiscal year and that unless this emergency clause is adopted this act may not become effective until after that date. Therefore an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991.

APPROVED: 3/26/91

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