

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1661

5 By: Representative Boyd
6 By: Senator Irvin
7

For An Act To Be Entitled

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

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17 TO AMEND THE PRESCRIPTION DRUG MONITORING
18 PROGRAM; AND TO REQUIRE PROFESSIONAL
19 LICENSING BOARDS TO PROMULGATE RULES
20 REQUIRING PRACTITIONERS TO ACCESS THE
21 PRESCRIPTION DRUG MONITORING PROGRAM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 20-7-604(d) and (e), concerning the
27 requirements for the Prescription Drug Monitoring Program, is amended to read
28 as follows:

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



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

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

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

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

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

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

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