A Bill

DRAFT JMB/JMB

HOUSE BILL

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS SAFE AND EFFECTIVE
PRESCRIBING PRACTICES ACT; TO CREATE THE TASK FORCE
FOR SAFE AND EFFECTIVE PRESCRIBING PRACTICES; AND FOR
OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS SAFE AND EFFECTIVE
PRESCRIBING PRACTICES ACT; AND TO CREATE
THE TASK FORCE FOR SAFE AND EFFECTIVE
PRESCRIBING PRACTICES.

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

SECTION 1. Arkansas Code Title 17, Chapter 80, is amended to add an
additional subchapter to read as follows:

Subchapter 4 – Arkansas Safe and Effective Prescribing Practices Act

17-80-401. Title.
This subchapter shall be known and may be cited as the "Arkansas Safe
and Effective Prescribing Practices Act".

17-80-402. Definitions.
As used in this subchapter:
(1) "Prescriber" means an individual who is licensed, certified, registered, or otherwise authorized by the appropriate Arkansas licensing board to prescribe drugs in the course of professional practice;

(2) "Opioid" means a drug or medication that relieves pain including without limitation:

(A) Hydrocodone;  
(B) Oxycodone; 
(C) Morphine; and
(D) Codeine; and

(3) “Treatment guidelines” means evidence-based recommendations to assist healthcare providers in making patient decisions concerning appropriate medical care for the treatment of acute and chronic pain.


(a) The Arkansas Task Force for Safe and Effective Prescribing Practices is created.

(b) The task force shall consist of the following health officials and representatives from healthcare provider licensing boards:

(1) The State Health Officer or his or her designee;  
(2) The Surgeon General or his or her designee; 
(3) The Director of the Division of Medical Services of the Department of Human Services or his or her designee;  
(4) The Arkansas Drug Director or his or her designee; 
(5) The Director of the Department of Arkansas State Police or his or her designee; and

(6) One (1) board member designated by each of the following organizations who is also professional licensee of the organization:

(A) The Arkansas State Board of Dental Examiners;  
(B) The Arkansas State Board of Nursing; 
(C) The Arkansas State Board of Pharmacy; and
(D) The Arkansas State Medical Board.

(c) A meeting of the task force shall be open to the public and subject to the Freedom of Information Act of 1967, § 25-19-101 et seq.

17-80-404. Treatment guidelines.
(a) On or before October 1, 2015, the Arkansas Task Force for Safe and Effective Prescribing Practices shall develop treatment guidelines for the prescribing of opioids that can be used by prescribers in the state as a guide for patient care.

(b) By September 30 of each year, the task force shall review and update, as needed, the treatment guidelines for the prescribing of opioids.

(c) A state licensing board that licenses or otherwise regulates prescribers shall adopt and post on its website:

(1) The treatment guidelines for the prescribing of opioids developed by the task force on or before March 1, 2016; and

(2) Updated treatment guidelines for the prescribing of opioids within six (6) months of the development of updated treatment guidelines by the task force.

(d) A state licensing board that licenses or otherwise regulates prescribers shall:

(1) Provide training materials to its licensees on the treatment guidelines for the prescribing of opioids as developed and updated by the task force; and

(2) Promulgate rules on or before March 1, 2016, to require continuing education on the abuse of controlled substances as a condition of license renewal for prescribers.

17-80-405. Patient treatment and applicability.

(a) The guidelines for the prescribing of opioids shall be developed to assist prescriber decision-making only and shall not have the effect of law.

(b) This subchapter does not prohibit a prescriber who uses opioids to relieve a patient’s pain from prescribing a dosage of opioids deemed medically necessary to relieve the patient's pain.

Referral requested by: Representative Justin Boyd
Prepared by: JMB