State of Arkansas
76th General Assembly
Regular Session, 1987 HOUSE BILL 1119
By: Representative Stockley

"AN ACT TO PROVIDE THAT DRONABINOL IS A SCHEDULE II DRUG INSTEAD OF A SCHEDULE VI DRUG WHEN IT IS IN SESAME OIL AND ENCAPSULATED IN A SOFT GELATIN CAPSULE IN A DRUG PRODUCT APPROVED BY THE U. S. FOOD AND DRUG ADMINISTRATION; AND FOR OTHER PURPOSES."

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

SECTION 1. The General Assembly is informed that the United States Food and Drug Administration has approved the use of dronabinol for medical treatment when it is in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the Food and Drug Administration; that it is not now available for medical use in Arkansas because it is included in Arkansas' controlled substance schedule VI, whereas it is covered by federal schedule II; that it is necessary to remove the substance from our schedule VI and reschedule it as schedule II in order to make it available for legitimate use by the medical community of this State; and that the rescheduling of dronabinol will not affect any other substances subject to Arkansas' schedule VI. Therefore, dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U. S. Food and Drug Administration is removed from schedule VI of the Uniform Controlled Substances Act (Act 590 of 1971, as amended), and is hereby included in schedule II until such time as it is rescheduled by the Arkansas Department of Health.

SECTION 2. (a) Act 8 of 1981, the same being Arkansas Statutes 82-1007.1 and 1007.2, is hereby repealed.

(b) All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. It is hereby found and determined by the General Assembly that dronabinol has been approved by the U. S. Food and Drug Administration for legitimate medical use; that because the substance is covered by schedule VI of the Arkansas Uniform Controlled Substances Act it is not available for the legitimate use of the medical community of this State; that the substance is categorized as a schedule II substance by the federal agency and should be categorized as a schedule II substance in this State in order to make it available to Arkansas patients; that until such rescheduling occurs some persons suffering medical disabilities will be denied a legitimate treatment for their ailments, and this Act will make the necessary change to provide proper medical care to Arkansans. 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 its passage and approval.