

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 1003

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5 By: Senator Malone
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For An Act To Be Entitled

9 AN ACT TO ALLOW DENTISTS TO DISPENSE LEGEND DRUGS
10 AFTER OBTAINING A PERMIT FROM THE ARKANSAS STATE
11 BOARD OF DENTAL EXAMINERS; AUTHORIZING THE BOARD
12 TO COLLECT A FEE FOR THE PERMIT; AUTHORIZING THE
13 BOARD TO ADOPT RULES GOVERNING PERMITS FOR AND
14 THE DISPENSING OF LEGEND DRUGS BY DENTISTS IN
15 ORDER TO PROTECT THE PUBLIC HEALTH AND SAFETY;
16 AND FOR OTHER PURPOSES.

Subtitle

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19 TO ALLOW DENTISTS TO DISPENSE LEGEND
20 DRUGS AFTER OBTAINING A PERMIT FROM THE
21 BOARD OF DENTAL EXAMINERS; AUTHORIZING A
22 FEE FOR THE PERMIT; AND ADOPTING RULES
23 GOVERNING THE PERMIT AND THE DISPENSING
24 OF LEGEND DRUGS.

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code Title 17, Chapter 82, Subchapter 1 is amended
30 to add an additional section to read as follows:

31 17-82-110. Legend drugs.

32 (a) As used in this section, "dispensing dentist" means a dentist
33 licensed under this chapter who purchases legend drugs to be dispensed to his
34 or her patients for the patients' personal use and administration outside the
35 dentist's office.

36 (b) A dispensing dentist shall:



- 1 (1)(A) Personally dispense legend drugs; and
2 (B) The dispensing of the legend drugs shall not be
3 delegated;
4 (2)(A) Keep records of all receipts and distributions of legend
5 drugs.
6 (B) The records shall be:
7 (i) Subject to inspection by the proper enforcement
8 authority;
9 (ii) Readily accessible for inspection; and
10 (iii) Maintained in a central registry; and
11 (3) Comply with the rules adopted by the Arkansas State Board of
12 Dental Examiners to regulate the dispensing of legend drugs;
13 (4) Label legend drugs with the following information:
14 (A) Patient's name and address;
15 (B) Dispensing dentist's address and narcotic registry
16 number issued by the Drug Enforcement Administration of the United States
17 Department of Justice;
18 (C) Date of dispensing; and
19 (D) Directions and cautionary statements, if any, as
20 required by law.
21 (d)(1) No dentist licensed under this chapter shall dispense legend
22 drugs without prior approval by the board and receipt of a permit from the
23 board authorizing the dispensing of specific legend drugs.
24 (2) The dentist shall apply to the board for the dispensing
25 permit on forms the board authorizes.
26 (3) The board shall issue a permit upon a finding by the board
27 that the dentist has shown a need for the permit for dispensing the specific
28 legend drugs the dentist has requested.
29 (e) The board shall enforce this section and shall adopt rules to
30 carry out its purpose.
31 (f) The board shall charge an annual fee for the issuance of
32 dispensing permits:
33 (1) To cover the costs of administering this section; and
34 (2) Ensure that the health and safety of the citizens of
35 Arkansas are protected and that dispensing dentists are in compliance with
36 the law and with the rules of the board.