

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Senator D. Johnson

A Bill

SENATE BILL 386

For An Act To Be Entitled

8 AN ACT CONCERNING THE DESIGNATION OF CONTROLLED
9 SUBSTANCES BY THE DIRECTOR OF THE DEPARTMENT OF
10 HEALTH; AND FOR OTHER PURPOSES.

Subtitle

14 CONCERNING THE DESIGNATION OF CONTROLLED
15 SUBSTANCES BY THE DIRECTOR OF THE
16 DEPARTMENT OF HEALTH.

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

21 SECTION 1. Arkansas Code § 5-64-201(a)(1)(A), concerning the issuance
22 of a schedule of controlled substances by the Director of the Department of
23 Health, is amended to read as follows:

24 (a)(1)(A)(i) The Director of the ~~Division of Health of the~~ Department
25 of Health ~~and Human Services~~ shall administer this chapter and may add a
26 substance to or delete or reschedule any substance enumerated in a schedule
27 ~~pursuant to~~ under the procedures of the Arkansas Administrative Procedure
28 Act, § 25-15-201 et seq.

29 (ii) The director may promulgate without action or
30 approval of the State Board of Health an emergency rule under the procedures
31 of the Arkansas Administrative Procedure Act, § 25-15-201, that adds a
32 substance to or deletes a substance from a schedule or reschedules a
33 substance.

34 (iii) If the director adds, deletes, or reschedules a
35 substance through an emergency rule under the procedures of the Arkansas
36 Administrative Procedure Act, § 25-15-201, the emergency rule may be



1 effective for no longer than one hundred eighty (180) days.

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3 SECTION 2. Arkansas Code § 25-15-204(b)(2), concerning the
4 promulgation of an emergency rule, is amended to read as follows:

5 (2) ~~The~~ Except as provided in § 5-64-201, the rule may be
6 effective for no longer than one hundred twenty (120) days.

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