

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1774

5 By: Representative Penzo
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
9 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
10 AMENDMENT OF 2016"; TO MODIFY REQUIREMENTS CONCERNING
11 A PHARMACIST CONSULTANT; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND ARKANSAS CONSTITUTION, AMENDMENT
15 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL
16 MARIJUANA AMENDMENT OF 2016"; AND TO
17 MODIFY REQUIREMENTS CONCERNING A
18 PHARMACIST CONSULTANT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
25 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
26 Constitution, Amendment 98, § 4, concerning the administration and
27 enforcement concerning qualifying patients, is amended to add an additional
28 subsection to read as follows:

29 (f) When a patient receives a written certification from a physician,
30 the physician may require the patient to consult with a pharmacist consultant
31 of a dispensary.
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33 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
34 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
35 Constitution, Amendment 98, § 8(s), concerning the licensing of dispensaries
36 and cultivation facilities, is amended to add an additional subdivision to



1 read as follows:

2 (3) For each new qualifying patient, a dispensary shall:

3 (A) Inform the qualifying patient that the dispensary has
4 a pharmacist consultant on staff available via phone; and

5 (B)(i) Require the qualifying patient to sign a waiver in
6 order to opt out of speaking to the pharmacist consultant.

7 (ii) A waiver as described in subdivision
8 (s)(3)(B)(i) of this section shall:

9 (a) Include information that states the drug
10 profiles may change and that the qualifying patient understands that the
11 dispensary has a pharmacist consultant on staff if the qualifying patient has
12 questions in the future or if his or her drugs change; and

13 (b) Only be required to be signed by a
14 qualifying patient once.

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