

# ARKANSAS REGISTER



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SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

## Transmittal Sheet

W.J. "Bill" McCuen  
Secretary of State  
State Capitol  
Little Rock, Arkansas 72201-1094

For Office  
Use Only:

Effective Date 2-24-91 Code Number 007.07.91--001

Name of Agency Arkansas Department of Health

Department Division of Pharmacy Services and drug Control

Contact Person Don Phillips, P.D. Telephone 661-2325

Statutory Authority for Promulgating Rules Section I through 23

Act 898 of 1979 under the authority of Section 1, Act 590 of 1971

Intended Effective Date		Date
	Legal Notice Published	<u>10-13-90</u>
<input type="checkbox"/> Emergency	Final Date for Public Comment	<u>11-13-90</u>
<input checked="" type="checkbox"/> 20 Days After Filing	Filed With Legislative Council	<u>10-08-90</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council	<u>11-19-90</u>
	Adopted by State Agency	<u>01-24-91</u>

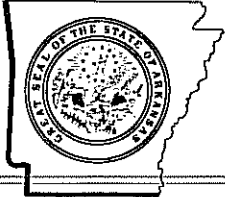
## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance With Act 434 of 1967 As Amended.

SIGNATURE  
Director

TITLE  
January 31, 1991

DATE



BILL CLINTON  
GOVERNOR

*Arkansas* **DEPARTMENT OF HEALTH**  
91 JAN 35 PM 2:16  
4815 WEST MARKHAM STREET • LITTLE ROCK, ARKANSAS 72205  
TELEPHONE AC 501 661-2000

W. J. "Bill" McCuen  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

M. JOYCELYN ELDERS, M.D.  
DIRECTOR

February 1, 1991

W. J. "Bill" McCuen  
Secretary of State  
State Capitol  
Little Rock, AR 72201

Dear Mr. McCuen:

Please publish the attached Rules in the Arkansas Register.

If there are any question, please call or write.

Sincerely,

Don Phillips, P.D., Director  
Pharmacy Services and Drug Control

DP:sa

Attachment: Transmittal Sheet

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W. J. "Bill" McCuen  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

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STATE OF ARKANSAS  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

BY  
SEVERABILITY

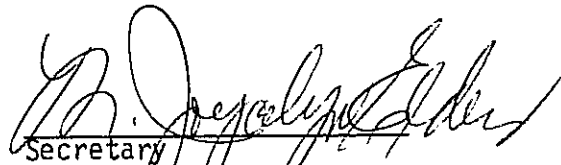
If any provision of these Rules and Regulations or Amendments or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Rules and Regulations or Amendments which can be given effect without the invalid provision or application and to this end the provisions of these Rules and Regulations and Amendments are declared to be severable.

### REPEAL

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

### CERTIFICATION


This will certify the foregoing Amendments to the Rules and Regulations Pertaining to Controlled Substances List were adopted by the Arkansas State Board of Health at a regular session of the Board of held in Little Rock, Arkansas on the 24th Day of January, 1991 and after a Public Hearing on the 13th Day of November, 1990 held in Little Rock, Arkansas at the State Health Building.

  
Secretary  
Arkansas Board of Health

The foregoing Amendments having been filed in my office are hereby adopted on this 30<sup>th</sup> Day of January, 1990.

  
Bill Clinton  
Governor

I do hereby certify that this is a true copy. Acknowledge before me this 1 day of February, 1991.  
County of Pulaski, State of Arkansas.

  
Notary Public

My commission expires August 24, 1995

## CONTROLLED SUBSTANCES LIST

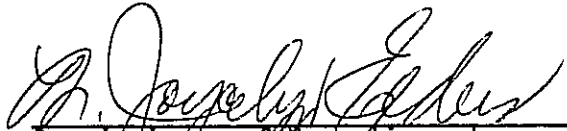
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Pursuant to the provisions of Section I through 23, Act 898 of 1979 and under the authority of Section 1, Act 590 of 1971 of the Laws of the state of Arkansas, the Commissioner of Narcotic Substances, as specified by law, is given public notice of the publication of the List of Controlled Substances for the State of Arkansas.

A public hearing was held on November 13, 1990. This hearing afforded reasonable opportunity for all interested persons to present data, views, arguments, and testimony regarding the scheduling of all substances contained in this list.


Due consideration has been given applicable Federal regulations, current scientific knowledge regarding the listed substances, the evidence of actual or relative potential for abuse, the history and current patterns of abuse, the risk to the public health, and potential to produce psychic or psychological dependence liability.

Based on these considerations, I, M. Joycelyn Elders, Commissioner of Narcotic and Toxic Substances and the Director of the Arkansas Department of Health, do hereby promulgate the attached listing of the Schedule of Controlled Substances and the corresponding drugs which are included in each Schedule as the Controlled Substance List of the State of Arkansas.

  
Commissioner of Narcotic and  
Toxic Substances

I do hereby certify that this is a true copy of the Rules and Regulations adopted by the Arkansas Department of Health.

Acknowledged before me this 1<sup>st</sup> day of February 1991.  
County of Pulaski, State of Arkansas

  
Notary Public

My commission expires August 24, 1995.

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SECRETARY OF STATE  
LITTLE ROCK, ARKANSASRULES AND REGULATIONS PERTAINING TO  
THE SCHEDULING OF CONTROLLED SUBSTANCES

## Section I Authority

The scheduling of controlled substances are proposed pursuant to Ark. Stat. Ann §5-64-216.

## Section II Purpose

The proposal to transfer glutethimide from Schedule III to Schedule II of the Arkansas Controlled Substances List is based on data gathered and reviewed by the D.E.A. and the evaluation and recommendation of the Assistant Secretary for Health. (30472 Federal Register/Vol. 55, No. 144/Thursday, July 26, 1990/Proposed Rules).

## Section III General Requirements

Page 7 of 13 (June 1990 Revision) Controlled Substances List is amended to redesignate paragraphs (e)(2) through (e)(4) as (e)(3) through (e)(5) and by adding new paragraph (e)(2) to read as follows:

(e) .....

(2) GLUTETHIMIDE .....2550

Page 8 of 13 (June 1990 Revision) Controlled Substances List is amended by removing paragraph (c)(5) and redesignating paragraphs (c)(6) through (c)(12) as (c)(5) through (c)(11).

## Section IV Repeal

All rules and regulations and parts thereof in conflict herewith are hereby repealed.