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June 26, 2001

Sharon Priest, Secretary of State
State of Arkansas
State Capitol, Room 101
Little Rock, AR 72201-1094

060.00.01 -- 003

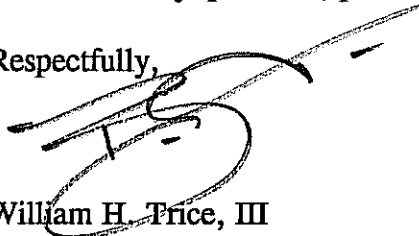
**RE: Arkansas State Medical Board
Amendment to Regulation 7**

To Whom It May Concern:

Enclosed is a copy of Regulation 7 and a Financial Impact Statement that I am forwarding to you pursuant to Arkansas Law.

If there are any questions, please do not hesitate to contact me.

Respectfully,



William H. Trice, III
Attorney for Arkansas State
Medical Board

WHT/tjs

enclosures

cc: Peggy Cryer w/enclosures

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

NEW REGULATION 7

~~REGULATIONS GOVERNING THE PRESCRIBING OF~~ AMPHETAMINES AND AMPHETAMINE TYPE DRUGS

All prescriptions for:

- (1) Schedule II Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) Schedule II Methamphetamine, its salts, isomers, and salts of its isomers; must comply with both state and federal laws. In addition, prescriptions for these controlled drugs may be written by a physician only for the treatment of Narcolepsy or Hyperkinesia or Attention Deficit Disorder with or without hyperactivity. No second or subsequent prescription for these controlled drugs may be written for the patient until a second opinion is obtained from a physician confirming (1) the diagnosis of Narcolepsy or Hyperkinesia or Attention Deficit Disorder with or without hyperactivity and (2) that the controlled drug is the drug of choice.

Upon application to the Board and upon demonstration of need, any physician who demonstrates a knowledge in the treatment of Hyperkinesia, Narcolepsy, or Attention Deficit Disorder with or without hyperactivity, may obtain exemption from the second opinion requirement of this regulation including the confirmation of the diagnosis of Narcolepsy, Hyperkinesia, or Attention Deficit Disorder and that the controlled drug is the drug of choice. The Board shall maintain a register of all licensed physicians thus exempted.

Violations of this regulation will be interpreted by the Board as the physician exhibiting gross negligence or ignorant malpractice and shall subject the physician to all penalties provided by Arkansas Code Ann. 17-95-410.

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

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DEPARTMENT Arkansas State Medical Board
DIVISION _____
PERSON COMPLETING THIS STATEMENT Peggy Cryer
TELEPHONE NO. (501) 296-1802 FAX NO. (501) 296-1805

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Amendment to Regulation 7 Regulating the Prescribing of Amphetamines and Amphetamine Type Drugs for Narcolepsy, Hyperkinesia, or Attention Deficit Disorder

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes _____ No XX

2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

N/A

3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

N/A

2001-2002 Fiscal Year

2002-2003 Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other _____

General Revenue _____
General Funds _____
Cash Funds _____
Special Revenue _____
Other _____

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?

N/A

2001-2002 Fiscal Year

2002-2003 Fiscal Year

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

N/A

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JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

2001-2002 Fiscal Year

2002-2003 Fiscal year

July 28, 1995