



**Application For Exemption From
Arkansas State Medical Board Regulation No. 7**
(Regulation Governing the Prescribing of Amphetamines and Amphetamine Type Drugs)
2100 Riverfront Drive Little Rock, AR 72202 501-296-1802 501-296-1805 Fax
www.armedicalboard.org

1. Physician's name: _____
(First) (Middle) (Last)
2. Physician's address: _____
3. Physician's office address: _____
4. Physician's telephone number(s): Home ____/____/____ Office ____/____/____
5. Physician's Arkansas State Medical Board License Number: _____
6. Physician's Specialty: _____
7. Description of Physician's Practice: _____

8. Medications prescribing under Regulation No. 7: (indicate all that apply)

Amphetamines

- a. Adderall _____
b. Dexedrine _____
c. Vynanse _____

Methamphetamine

- a. Desoxyn _____

9. Explanation of need for exemption from Regulation No. 7: _____

Date Type or Legibly Print Name Signature of Applicant

STATE OF ARKANSAS

COUNTY OF _____

} §§ VERIFICATION

NOTARY
SEAL

SUBSCRIBED AND SWORN to before me, a Notary Public, this _____ day of _____, 20 _____.

My commission expires _____
Notary Signature

■■■■■■■■■■■■■■■■■■■■ FOR USE OF SECRETARY ONLY ■■■■■■■■■■■■■■■■■■■■

Application received: _____ Date approved: _____

REGULATION NO. 7

REGULATIONS GOVERNING THE PRESCRIBING OF AMPHETAMINES

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 Narcolepsy or Hyperkinesia 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 or Hyperkinesia or Attention Deficit Disorder with or without hyperactivity 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.

History: Adopted April 23, 1979; Amended April 18, 1986; Amended June 14, 2001.

17-95-409. Denial, suspension, or revocation - Grounds.

- (a) (1) The board may revoke an existing license, impose penalties as listed in § 17-95-410, or refuse to issue a license in the event the holder or applicant, as the case may be, has committed any of the acts or offenses defined in this section to be unprofessional conduct.
- (2) The words "unprofessional conduct", as used in Sub-chapters 2-4 of this chapter, are declared to mean:
 - (A) (i) Conviction of any crime involving moral turpitude or conviction of a felony.
 - (ii) The judgment of any such conviction, unless pending upon appeal, shall be conclusive evidence of unprofessional conduct;
 - (B) Resorting to fraud, misrepresentation, or deception in applying for or securing a license to practice medicine or in taking the examination for the license, or in seeking a renewal of a license;
 - (C) Aiding or abetting an unlicensed person to practice medicine;
 - (D) Procuring or aiding or abetting in procuring a wrongful and criminal abortion;
 - (E) Violation of the laws of the United States or the State of Arkansas regulating the possession, distribution, or use of narcotic or controlled drugs classed in schedules 1-5 of the Controlled Substances Act of 1970 or the Uniform Controlled Substances Act, Sec. 5-64-101 et seq., including any amendments thereto;
 - (F) Habitual indulgence in the use of alcohol to such an extent as to render himself incapable of exercising that degree of skill and judgment in the treatment of his patients which the moral trust and confidence in him demands;
 - (G) Grossly negligent or ignorant malpractice;
 - (H) Habitual, intemperate, or excessive use of narcotics or of any other habit-forming drugs;
 - (I) Representing to a patient that a manifestly incurable condition of sickness, disease, or injury can be permanently cured;
 - (J) Becoming physically or mentally incompetent to practice medicine to such an extent as to endanger the public;
 - (K) Insanity or mental disease, if evidenced by an adjudication or by voluntary commitment to an institution for treatment of a mental disease or as determined by an examination conducted by three (3) impartial psychiatrists retained by the board;
 - (L) (i) Soliciting for patronage;
 - (ii) Advertising for patronage in a false, fraudulent, deceptive, or misleading manner;
 - (iii) Advertising the quality of medical services; or
 - (iv) Advertising illegal procedures and practices;
 - (M) Offering, undertaking, attempting, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine or representing, directly or indirectly, that he can treat, operate on, or prescribe for any human condition by a method, means, or procedure which he refuses to divulge upon demand to the Arkansas State Medical Board;
 - (N) The willful betraying of a professional secret; and
 - (O) Persistent, flagrant over-charging or over-treating of patients;
 - (P) Violating a regulation of the board; and
 - (Q) Violating a term of probation or an order previously imposed by the board.
- (b) (1) (A) The board shall suspend an existing license in the event the holder breached a contract to practice medicine in a rural community that was entered into under the provisions of Sec. 6-81-701 et seq.
- (B) The suspension shall be for a period of years equivalent to the number of years that the recipient is obligated to practice medicine in a rural area, and the suspension shall continue until the loan, with interest thereon, is paid in full.
- (2) Upon notification from the Dean of the College of Medicine of the University of Arkansas for Medical Sciences and the Director of the Health Department that exigent circumstances warrant a waiver of the suspension, the board shall reinstate the holder's license.

History. Acts 2001, No. 464, § 5