



Arkansas

State-Specific Controlled Substance Requirements

Updated 5/31/23

Arkansas PDMP:	<p>The Arkansas Prescription Drug Monitoring Program (AR PDMP) requires veterinary clinics to report every 30 days. A controlled substance is a substance that is scheduled II – V on the Arkansas list of controlled substances.</p> <p>There is a veterinary reporting exception for an opioid or a benzodiazepine dispensed for an animal in an emergency or mobile setting or in an amount to be used during a period of 48 hours or less).</p> <p>Rules pertaining to AR PDMP: https://ssl-adh.ark.org/images/uploads/pdf/ADH Prescription Drug Monitoring proposed amendments_CLEAN.pdf</p>
Biennial Inventory (DEA):	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your state biennial inventory. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p>AR follows DEA biennial inventory requirements</p>
CE:	<p><u>Veterinarian</u>: 20 hours every 1 year General medicine topics: 10 hours minimum of veterinary medicine and surgery topics Management topics: 5 hours allowed Formal meetings: 4 hours allowed Online learning: 5 hours allowed</p> <p><u>Veterinarian Tech</u>: 6 hours every 1 year General medicine topics: 4 hours if approved by national, state, or local associations Other: Graduate courses allowed</p> <p>No opioid specific CE requirements</p>
Compounding:	<p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form.</p> <p>Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes • Mixing two solutions for instilling into the ear <p>Arkansas Compounding:</p>



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	<p>Arkansas lawmakers have provided clear and unqualified guidance on office stock. Under the germane Arkansas state law,² this type of activity is expressly allowed.</p> <p>(L) Compounding for a Prescriber's Office Use: (1) Pharmacies may prepare compounded drug products for a duly authorized prescriber's office use.</p> <p>(M) Compounding Veterinarian Products: (2) These prescriptions are to be handled and filled the same as human prescriptions.</p> <p>07-02-0001 https://a4pc.org/files/2022-03_APC-Comments-Arkansas-BoP.pdf</p>
<p>Dispensing:</p>	<p>AR define "<u>dispenser</u>" as a practitioner who dispenses, including veterinarians in the definition of "practitioner" or "dispenser".</p> <p>"<u>Dispense</u>" means to deliver a controlled substance to an ultimate user or research subject by, or pursuant to the lawful order of a practitioner, including without limitation, the prescribing, administering, packaging, labeling, or compounding necessary to prepare the controlled.</p>
<p>Diversion Reporting:</p>	<p>Report of theft, loss or diversion should be made immediately upon discovery, by telephone: (501) 661-2325, and then the reporting form submitted by fax: (501) 661-2769, or U.S. Mail: Form</p> <p>Arkansas Prescription Drug Abuse Act (passed 2015) allows for immunity for good faith reporting of suspected drug diversion.</p>
<p>Euthanasia:</p>	<p>CERTIFICATE OF TRAINING FOR ANIMAL EUTHANASIA</p> <p>Euthanasia can only be performed by a licensed vet or Euthanasia Technician licensed by the DEA and certified by the Department of Health.</p>
<p>Ownership:</p>	<p>Non-veterinarian practice ownership is allowed but a licensed veterinarian is required to be on the clinics veterinary premise permit as the responsible licensee for the clinic.</p>
<p>Power of Attorney Notarization:</p>	<p>While Arkansas does not technically require you to get your POA notarized, notarization is very strongly recommended. Under Arkansas law, when you sign your POA in the presence of a notary public, your signature is presumed to be genuine—meaning your POA is more ironclad.</p>
<p>Prescribing:</p>	<p>"<u>Prescribe</u>" means to issue a direction or authorization, by prescription, permitting a patient lawfully to obtain a controlled substance; (9) "<u>Prescriber</u>" means a practitioner or other authorized person who prescribes a Schedule II, III, IV, or V controlled substance; (10) "<u>Prescription</u>" means a controlled substance lawfully prescribed and subsequently dispensed; Rules and Regulations</p> <p>E-prescribing: Mandated e-prescribing of all schedule II-VI controlled substances went into effect on January 1, 2021. Veterinarians are allowed the exemption to continue issuing prescriptions in a written, oral or faxed manner.</p> <p>A controlled substance will mean a Schedule II-V drug as defined in the Prescription Drug Monitoring Program Act.</p> <p>A. Examination of the patient and need for prescribing a controlled substance. (1) Nonpharmacologic treatment or drugs that are not classified as a controlled substance will be given consideration prior to treatment with controlled substances. Prior to initiating treatment with a controlled substance, the licensed veterinarian will</p>



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	<p>perform a history and physical examination appropriate to the presenting complaint and conduct an assessment of the patient's history as part of the initial examination.</p> <p>(2) The medical record for prescribing controlled substances will include signs or presentation of the pain or condition, a presumptive diagnosis for the origin of the pain or condition, a physical examination appropriate to the presenting complaint, a treatment plan, and the medications prescribed to include the date, type, dosage, and quantity prescribed.</p> <p>(3) If a controlled substance is necessary for treatment, the licensed veterinarian will prescribe it in the lowest effective dose appropriate to the size and species of the animal for the least amount of time.</p> <p>(4) If the prescribing is within the accepted standard of care, a licensed veterinarian may prescribe a controlled substance for the management of behavioral disorders, neurological disorders, acute pain, chronic pain, terminal illnesses, or other chronic conditions.</p> <p>B. For prescribing an opioid, the initial dose will not exceed a ten (10) day supply.</p> <p>(1) For prescribing an opioid for the management of pain after the initial ten (10) day supply, the patient will be seen and evaluated for the continued need for an opioid.</p> <p>(2) For any prescribing of an opioid beyond ten (10) days, the licensed veterinarian will develop a treatment plan for the patient, which will include measures to be used to determine progress in treatment, further diagnostic evaluations or modalities that might be necessary, and the extent to which the disorder, pain, or condition is associated with physical impairment.</p> <p>(3) For the continued prescribing of an opioid, the patient will be seen and reevaluated at least every six (6) months. The justification for such prescribing will be documented in the patient record.</p> <p>C. Prior to prescribing or dispensing a controlled substance, the licensed veterinarian will document a discussion with the owner about the known risks and benefits of treatment with a controlled substance, the responsibility for the security of the drug, and proper disposal of any unused drug.</p> <p>D. Continuation of treatment with controlled substances will be supported by documentation of the continued benefit from the prescribing. For the continued prescribing of controlled substances that are not opioids, the patient will be seen and reevaluated at least every twelve (12) months. If the patient's progress is unsatisfactory, the licensed veterinarian will assess the appropriateness of the continued use of the current treatment plan and consider the use of other therapeutic modalities.</p> <p>092.00.1-13. PRESCRIBING CONTROLLED SUBSTANCES</p> <p>Drug prescription rules: https://www.sos.arkansas.gov/uploads/rulesRegs/Arkansas%20Register/2014/dec2014/070.00.14-006.pdf</p>
Recordkeeping:	<p><u>Patient records:</u> patient records to be kept 3 years following the last office visit.</p> <p><u>Controlled substance records:</u> at least two years.</p>
State Scheduled CS's:	<p>Proin (a/k/a phenylpropanolamine) is a Schedule V controlled substance.</p>
State CS License:	<p>Arkansas does not require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical Professional License to practice in Arkansas.</p>
Supervision:	<p>"<u>Immediate supervision</u>" means observation, in the immediate vicinity, with the opportunity, for the licensed veterinarian to advise or physically intervene in each procedure.</p>



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	<p>“<u>Direct supervision</u>” or “<u>direct personal supervision</u>” means the licensed veterinarian must be on-site and instantly available for consultation.</p> <p>“<u>Indirect supervision</u>” means the licensed veterinarian is not physically present but has given written or oral instructions for the treatment of the animal and is readily available for communication either in person or through use of electronic information and communication technology.</p> <ul style="list-style-type: none"> ▪ “<u>Indirect supervision</u>” does not include the administration of a Schedule II controlled substance. ▪ A veterinarian shall retain control of and authority over the care of the animal during indirect supervision; <p>ARKANSAS VETERINARY MEDICAL PRACTICE ACT</p>
Telemedicine:	No existing laws. Where telemedicine occurs is not defined.
Veterinary Professional License:	Annual renewal of license shall be \$100.00 for veterinarians practicing either full- time or part-time within the State, and \$25.00 for inactive license renewal for veterinarians not engaged in the practice of veterinary medicine in Arkansas. A veterinarian CANNOT practice in Arkansas with an inactive license.
VCPR	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>“<u>Veterinarian-client-patient relationship</u>” means:</p> <p>(A) The veterinarian has assumed the responsibility for making medical judgments regarding the health of an animal and the need for medical treatment, and the client, that is, the owner or caretaker, has agreed to follow the instruction of the veterinarian.</p> <p>(B) (i) There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal.</p> <p>(C) (ii) This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal, by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept; and</p> <p>(D) (C) The practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen or therapy;</p> <p>The board may deny, suspend for a definite period, or revoke the license of any veterinarian, and/or impose a civil penalty for: The use, prescription, or sale of any veterinary prescription drug or the prescription of an extra-label use of any over-the-counter drug in the absence of a valid veterinarian-client-patient relationship (A.C.A. § 17-101-305). Statute</p>

Information and Resources

FEDERAL:

Drug Enforcement Administration, New Orleans Division
 3838 N. Causeway Blvd.
 Suite 1800, Three Lakeway Center
 New Orleans, LA
 Phone: (504) 840-1100



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DEA Local Offices

- Fayetteville - (479) 442-2618
- Fort Smith - (479) 783-6300
- Little Rock - (501) 217-6500

Federal Law: www.dea.gov/diversion

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.dea.gov/diversion>

STATE:

Arkansas Veterinary Medical Exam Board website: <https://arvetboard.statesolutions.us>

Arkansas Board of Pharmacy website: <https://www.pharmacyboard.arkansas.gov>