

ARKANSAS

Regulations of the Arkansas State Medical Board

REGULATION 2(6)

The treatment of pain with dangerous drugs and controlled substances is a legitimate medical purpose when done in the usual course of medical practice. If the provisions as set out below in this Resolution are met, and if all drug treatment is properly documented, the Board will consider such practices as prescribing in a therapeutic manner, and prescribing and practicing medicine in a manner consistent with public health and welfare. However, a physician who prescribes * narcotic agents Schedule 2, 3, 4, and 5, excluding Schedule 4 Propoxyphene products and to include the schedule drugs Talwin, Stadol, and Nubain, on a long term basis (more than six (6) months) for a patient with pain not associated with malignant or terminal illness will be considered exhibiting gross negligence or ignorant malpractice unless he or she has complied with the following:

- The physician will keep accurate records to include the medical history, physical examination, other evaluations and consultations, treatment plan objective, informed consent noted in the patient record, treatment, medications given, agreements with the patient and periodic reviews.
- The physician will periodically review the course of scheduled drug treatment of the patient and any new information about etiology of the pain. If the patient has not improved, the physician should assess the appropriateness of continued prescribing of scheduled medications or dangerous drugs, or trial of other modalities.
- The physician will obtain written informed consent from those patients he or she is concerned may abuse controlled substances and discuss the risks and benefits of the use of controlled substances with the patient, his or her guardian, or authorized representatives.
- The physician will be licensed appropriately in Arkansas and have a valid controlled substance registration and comply with the Federal and State regulations for the issuing of controlled substances and prescriptions, more especially the regulations as set forth in 21 Code of Federal Regulations Section 1300, et sequence.

* As defined in 21 Code of Federal Regulation

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Suggested Informed Consent Form:

I give my consent to receive scheduled medication and acknowledge this [*Enter date here*, (i.e., 3rd day of March 1999)] that Dr. [*Enter physician name here*] has explained the risks and benefits of the following medications.

- [*Enter Medication #1 here*]
- [*Enter Medication #2, if necessary*]
- [*Enter Medication #3, ...*]

Signature

Signature Date

Adopted by Emergency Order on September 18, 1998.

Approved by the Board following Public Hearing on December 3, 1998.