

**SPECIAL CALLED MEETING OF THE ARKANSAS STATE BOARD OF HEALTH**  
**October 11, 2012**

A “special-called” meeting of the Arkansas State Board of Health was held at 10:00 a.m., by telephone conference, on Thursday, October 11, 2012, in the Briefing Room of the Arkansas Department of Health, 4815 West Markham, Little Rock, Arkansas.

President Harper called the meeting to order at approximately 10:10 a.m. President Harper called the roll.

Present

George Harper, President  
Paul Halverson, DrPH, MPH (via phone)  
Susan Jones, MD (via phone)  
Miranda Childs-Bebee (via phone)  
Clark Fincher, MD, (via phone)  
Larry Fritchman, DVM (via phone)  
Tom Jones, RS  
Jim Lambert (via phone)  
Linda Lehing  
John Richard Page, PD (via phone)  
Peggy Walker, RN (via phone)  
Terry Yamauchi, MD  
Dr. James Zini, DO (via phone)

ADH Staff Present

Robert M. Brech, CFO/Legal  
Nancy Cox, Legal  
Ed Barham, Public Information Officer  
Kerry Krell, public Information Specialist  
James Myatt, Pharmacy Services Branch Chief

Absent

Lawrence Braden, MD  
Glen “Eddie” Bryant, MD  
Anthony N. Hui, MD  
Alan Fortenberry, P.E.  
Dr. Marvin Leibovich  
Dr. Alexander Registre  
Mary Beth Ringgold  
Anika Whitfield, DPM  
Dr. Joe Thompson  
Rev. Dwight Townsend  
Patricia Westfall-Elsberry, OD

President Harper conducted a roll call and declared a quorum.

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MINUTES**

**October 11, 2012**

**OLD BUSINESS**

*Final Adoption of Permanent Rule Pertaining to List of Controlled Substances*

President Harper called the meeting to order and presented the item on the agenda, “the final Adoption of a Permanent Rule Pertaining to List of Controlled Substances.” President Harper asked Mr. Brech to give the background on this rule.

Mr. Robert Brech informed the Board in the July meeting that there were 3 emergency rules dealing with the controlled substances list. The first rule pertaining to Phenazepam was filed and effective on May 21, 2012. A special statute in this case allows that to be in effect for 180 days. That rule would expire on November 17<sup>th</sup> and would result in a lapse of when this substance would be on the controlled substances list, until it could be finalized. Another law that was passed changed the effective date of rules from 10 days from the date it was filed with the Secretary of State’s office to 30 days. If we had waited until the next Board meeting, we would not be able to get a permanent rule filed and there would be a lapse for Phenazepam. Today we need to adopt a permanent rule incorporating all three of the emergency rules, and that would finalize these sets of rules.

Dr. Zini made a motion that we make these a permanent rule. Dr. Page seconded the motion.

Dr. Halverson asked Mr. Brech to recount the actions that have taken place in terms of legislative review.

Mr. Brech stated that Phenazepam was reviewed in May by both legislative committees and received very good comments from the legislators. MeO was reviewed by both legislative committees, and the third has been reviewed by the Public Health Committee and will be reviewed by the rules committee next week; it will be filed on Monday.

President Harper asked for a vote on Dr. Zini's motion. A vote was taken and the motion passed unanimously.

There being no further business to come before the Board, Dr. Page made a motion to adjourn. Motion was seconded and the meeting was adjourned at approximately 10:16 a.m.

Respectfully submitted,

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Paul K. Halverson, DrPH  
Director and State Health Officer