



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000
Governor Asa Hutchinson
José R. Romero, MD, Secretary of Health

PROPOSED REVISIONS TO RULES GOVERNING MEDICAL MARIJUANA REGISTRATION, LABELING, AND TESTING IN ARKANSAS

November 16, 2021

PURPOSE

The Arkansas Department of Health (Department) is seeking Governor Hutchinson's review of proposed amendments to the Rules Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas.

BACKGROUND

These Rules Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the Laws of the State of Arkansas including, without limitation, Amendment No. 98 of the Constitution of the State of Arkansas of 1874, The Medical Marijuana Amendment of 2016.

KEY POINTS

The proposed rule:

- Updates definitions
- Makes Changes to comply with Acts 342, 632, 666, 1112.
- Updates list of solvents for testing

DISCUSSION

These Rules govern the application for and renewal of registry identification cards for qualifying patients and designated caregivers. These Rules also establish labeling and testing standards for marijuana distributed under the Medical Marijuana Amendment, and how medical conditions may be added to the list of qualifying conditions.

The following changes are proposed:

Cover Page – Update ADH Logo

Page 3 Section 3.27 – include electronic document in Registration ID in definition

Page 4 Section 3.38.3 – update Telehealth definition

Page 5 Section 4.A.1.c – replace DEA with Arkansas Med License Number

Page 7 Section 4.E.2 – Adjust wording to eliminate confusion on penalty for not renewing before 30 days of expiration of card.

Page 9 Section 5.C – Update wording to include edibles in labeling requirements.

Page 10 Section 5.C.1.l – Require nutritional information and ingredients be added to labels

Page 12 Section 5.D.7.c – Clarifies that labels may not be replaced by QR codes

Page 13 Section 6.C.1.e – Requires testing to include terpenes

Page 14 Section 7.A.e&f – Requires testing to include terpenes and all additional ingredients to make final product

Page 14 Section 7.D – Updates rules to include guidance on testing for edibles

Page 23 Section 21.A – Change wording from licensed laboratory to approved laboratory

Page 33 Table 2 – Updated list of solvents for testing

RECOMMENDATION

We recommend that the proposed amendments to the Rules Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas be approved as proposed by the Department.