



ARKANSAS STATE BOARD OF DENTAL EXAMINERS

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APPLICATION FOR PERMIT TO DISPENSE DRUGS

*Note: Please submit an application for EACH office location where you plan to dispense drugs.
(See Article III, Section F, #3 for exceptions.)*

Please type or print.

Name of Dentist

Office Address: (No PO Box)

City

State

Zip

Office Phone Number

Office Fax Number

Arkansas Dental License Number

DEA Number

Please list the LEGEND drugs you wish to dispense from your office:

Please list the CONTROLLED SUBSTANCES you wish to dispense from your office:

Reason(s) why you wish to dispense drugs from your office:

Two (2) drugs stores/pharmacies that are nearest your office:

Name of drug store/pharmacy	Address	Number of miles from your office

This is to certify that I have read Article III of the Dental Practice Act/Rules and Regulations of the Arkansas State Board of Dental Examiners. I also agree to personally fill, label, and dispense all drugs dispensed by me, and that I am subject to routine inspections at all times by an inspector or representative of the Arkansas State Board of Dental Examiners.

Signature of Dentist

AFFIDAVIT OF APPLICANT

State of _____

County of _____

Dr. _____, whose signature appears above, being duly sworn says that he/she is the person referred to in the above application for a permit to dispense drugs in the State of Arkansas; and that each of the statements herein contained is true in every respect.

Sworn and subscribed to before me this the _____ day of _____, _____.

Witness my hand and seal _____
Notary Public

My commission expires _____

(NOTARY SEAL)

Article III PRACTICE OF DENTISTRY DEFINED

The following acts, services, procedures and practices constitute the practice of dentistry, provided however that this list is not intended to be all inclusive. By specific reference all those acts described in the Dental Practice Act are also included among the list of acts constituting the practice of dentistry.

Any person shall be regarded as practicing dentistry within the meaning of this Section:

- A. Who publicly professes to be a dentist or dental surgeon or who uses or permits to be used for himself or for any other person, the title of "Doctor," "Dr.," "Doctor of Dental Surgery," "Doctor of Medical Dentistry," or any other letters, titles, terms or descriptive matter which directly or indirectly represents him as being able to diagnose, treat, remove stains, or concretions from teeth, provide surgical and adjunctive treatment for any disease, pain, injury, deficiency, deformity or physical condition of the human teeth, oral cavity, alveolar process, gums, jaws or directly related and adjacent masticatory structures.
- B. Who shall offer or undertake by any means or method whatsoever, to clean teeth or to remove stains, concretions or deposits from teeth in the human mouth, or who shall undertake or offer to diagnose, treat, operate, or prescribe by any means or methods for any disease, pain, injury, deficiency, deformity, or physical condition of the human teeth, oral cavity, alveolar process, gums or jaws.
- C. Any person who shall offer to undertake in any manner to prescribe to make, or cause to be made, an impression of any portion of the human mouth, teeth, gums, or jaws, for the purpose

of diagnosing, prescribing, treating, or aiding in the diagnosing, prescribing or treating, any physical condition of the human mouth, teeth, gums or jaws, or for the purpose of constructing or aiding in the construction of any dental appliance, denture, dental bridge, false teeth, dental plate or plates of false teeth, or any other substitute for human teeth.

- D. Any person, firm group, association, or corporation who shall offer or undertake to fit, adjust, repair, or substitute in the human mouth or directly related and adjacent masticatory structures any dental appliance, structure, prosthesis, or denture, or who shall aid or cause to be fitted, adjusted, repaired, or substituted in the human mouth or directly related and adjacent masticatory structures any dental appliance, structure, prosthesis, or denture.
- E. Who makes, fabricates, processes, constructs, produces, reproduces, duplicates, repairs, relines, or fixes any full or partial denture, any fixed teeth, any artificial dental restoration, or any substitute or corrective device or appliance for the human teeth, gums, jaws, mouth, alveolar process, or any part thereof for another, or who in any manner offers, undertakes, aids, abets, or causes another person to do so for another without written prescription or work order therefore signed by the dentist legally engaged in the practice of dentistry in this state or in the jurisdiction where such dentist maintains his dental office and who prescribed and ordered same.
- F. Who dispenses legend drugs. Dentists who choose to dispense legend drugs directly to their patients are subject to the following definitions and requirements:
1. A dispensing dentist is a dentist licensed under Ark. Code Ann. 17-82-301 et seq., who purchases legend drugs to treat diseases, disorders, and conditions of the oral cavity, maxillofacial area, and the adjacent and associated structures and their impact on the human body, but not for the purpose of treating diseases, disorders, and conditions unrelated to the oral cavity, maxillofacial area, and the adjacent and associated structures, to be dispensed to his or her patients for the patients' personal use and administration outside the dentist's office.
 2. The dispensing dentist shall:
 - a. Personally prepare and dispense legend drugs and all the preparation and dispensing of such drugs may not be delegated;
 - b. Keep records of all receipts and distributions of legend drugs. The records shall be subject to inspection by proper enforcement authority and shall be readily accessible and maintained in a central registry;
 - c. Affix to the container a label showing:
 - i. The dentist's name, address and telephone number
 - ii. The date of the dispensing
 - iii. The serial number of the prescription
 - iv. The name of the patient
 - v. The trade name of the medication, if any, or the generic name and identity of the manufacturer of the dispensed medication
 - vi. The strength per unit doses of the medication
 - vii. The quantity of the medication
 - viii. Directions for use
 - ix. Any cautionary statements required by law
 - d. The dispensing dentist shall counsel the patient in person ("face to face") to improve therapeutic outcomes and prevent medication errors.
 3. **Except for dispensing samples without charge, oral rinses or topical, and emergency or started dosages for use up to seventy-two(72) hours, no dentist licensed under Ark. Code Ann. 17-82-301, et seq., shall dispense legend drugs without prior approval by the Arkansas State Board of Dental Examiners after application to the Board and upon the showing of need. A dentist shall dispense only to his own patients and only for conditions being treated by that dentist.**
 4. Any dentist desiring to dispense legend drugs which are not exempted by Paragraph 3 of this regulation from the requirement of prior approval of the Arkansas State Board of

Dental Examiners shall apply to the board on a form provided for that purpose and shall be required to demonstrate the need for such dispensing of legend drugs prior to receiving approval.

5. Violation of this regulation shall constitute "professional misconduct" and shall subject the violator to disciplinary action as provided in Ark. Cod. Ann. 17-82-316 and Ark. Cod Ann. 17-82-317.
6. The Arkansas State Board of Dental Examiners shall enforce the provisions of this regulation.