



Department of Transformation and Shared Services

Governor Sarah Huckabee Sanders

Secretary Leslie Fiskens

M&R Policy No. 3

Rev. Date: August 13, 2025

Date: March 1, 2017

SUBJECT: Federal Law prohibits Sale of Items

Pursuant to Federal, State, and Local laws, Marketing and Redistribution (M&R) does not accept assets with the message "*Caution: Federal Law restricts this device to sale by or on the order of a Physician, Dentist, Veterinarian, or with the designation of any other practitioner licensed by the law of the State of Arkansas.*"

M&R does not accept certain items including any device that is not safe for use without the supervision of a licensed practitioner and for which "adequate directions for use" cannot be prepared. (21 C.F.R. § 801.109)

These items include but are not limited to:

- (1) "Medical equipment" means technologically sophisticated medical devices including but not limited to:
 - a. Oxygen and oxygen delivery systems
 - b. Ventilators
 - c. Respiratory disease management devices
 - d. Electronic and computer driven wheelchairs and seating systems
 - e. Apnea monitors
 - f. Transcutaneous electrical nerve stimulator (T.E.N.S.) units
 - g. Low air loss cutaneous pressure management devices
 - h. Sequential compression devices
 - i. Neonatal home phototherapy devices
 - j. Feeding pumps
 - k. Electrically powered hospital beds
 - l. Patient lifts
 - m. Infusion Pumps
 - n. Fetal Heart Dopplers
 - o. Ultrasound Equipment
 - p. Nebulizers/Mist Tents
 - q. Defibrillation Units (AED Devices)
 - r. Patient lifts
 - s. BiPAP/CPAP Machines (Respironics)
 - t. Muscle Stimulators/ TENS units
 - u. ABI Vests (Chest Compression Systems)
 - v. EKG/ECG Machines
 - w. Transfusion Machines

This is not a comprehensive list. Items may be added at any time.