

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senators Chaffin and Beebe**

A Bill ACT 1232 OF 1991

SENATE BILL 709

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE ARKANSAS STATE BOARD OF PHYSICAL
9 THERAPY; AND FOR OTHER PURPOSES."

10

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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13 SECTION 1. Ark. Code Ann. §17-92-102(3) is hereby amended to read as
14 follows:

15 "(3) 'Board' means the Arkansas State Board of Physical Therapy;"

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17 SECTION 2. Title 17, Chapter 92, Subchapter 2 of the Arkansas Code of
18 1987 Annotated is hereby amended to read as follows:

19 "17-92-201. Arkansas State Board of Physical Therapy.

20 (a) There is created the Arkansas State Board of Physical Therapy which
21 shall consist of five (5) members to be appointed by the Governor for terms of
22 three (3) years.

23 (1) Four (4) members shall be physical therapists licensed to
24 practice in Arkansas with at least five (5) years experience as a physical
25 therapist. The Governor shall appoint one (1) physical therapist from each
26 congressional district in order to provide statewide representation of
27 physical therapists.

28 (2) One (1) member shall not be actively engaged in or retired
29 from the practice of physical therapy and shall serve as the representative of
30 the public interest. This member shall be a full voting member but shall not
31 participate in the grading of examinations.

32 (b) In order to stagger the terms of the board members, the Governor
33 shall initially appoint one (1) member to serve a one (1) year term, two (2)
34 other members to serve two (2) year terms, and the remaining two (2) members
35 to serve three (3) year terms.

36 (c) A member shall hold his office until his successor has been

1 appointed and qualified.

2 (d) The board shall meet at least twice a year and may hold additional
3 meetings whenever necessary to discharge its duties.

4 (e) The board shall elect annually from its membership a chairman and a
5 secretary.

6 (f) The board may reimburse its members for necessary travel, meals,
7 and lodging expenses incurred in the performance of their responsibilities as
8 board members.

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10 17-92-202. Powers and duties.

11 (a) The board shall pass upon the qualifications of applicants for
12 licensure of physical therapists and physical therapist assistants, provide
13 and conduct all examinations, determine the applicants who successfully pass
14 the examinations, and license applicants who meet the qualifications provided
15 in this chapter.

16 (b) In addition to other powers and duties set forth in this chapter,
17 the board shall:

18 (1) Adopt reasonable rules and regulations and require the
19 payment of license fees adequate to carry out the purposes of this chapter;

20 (2) Investigate reported violations of this chapter and take such
21 steps as may be necessary to enforce this chapter;

22 (3) Keep a record of its proceedings and a record of all persons
23 registered by it. The register shall show the name of every registrant, his
24 last known place of business, his last known place of residence, and the date
25 and number of his license; and

26 (4) Compile a list of all licensed physical therapists and
27 physical therapist assistants in the State of Arkansas, which list shall be
28 printed annually. It shall furnish a copy of the list to all persons
29 requesting it upon the payment of such fee as may be fixed by the board to
30 compensate for the cost of printing the list.

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32 17-92-203. Disposition of Funds.

33 (a) All fees and other moneys received by the board pursuant to the
34 provisions of this chapter shall be deposited in a financial institution in
35 this state and expended solely for the purposes of this chapter. No part of

1 these funds shall revert to the general funds of this state. The compensation
2 provided by this chapter and all expenses incurred under this chapter shall be
3 paid from these funds. No compensation or expenses incurred under this
4 chapter shall be a charge against the general funds of this state.

5 (b) The board shall file an annual report of its activities with the
6 Governor, and the report shall include a statement of all receipts and
7 disbursements."

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9 SECTION 2. The Arkansas State Medical Board shall remit all funds
10 collected pertaining to the licensure and examination of physical therapists
11 and physical therapist assistants to the Arkansas State Board of Physical
12 Therapy upon the effective date of this act.

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14 SECTION 3. The Arkansas State Medical Board, upon the effective date of
15 this act, shall transmit to the Arkansas State Board of Physical Therapy all
16 records kept and maintained by the Arkansas State Medical Board pertaining to
17 the practice of physical therapy in this state.

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19 SECTION 4. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 5. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 6. All laws and parts of laws in conflict with this act are
30 hereby repealed.

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32 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
33 Seventy-Eighth General Assembly that this legislation creates a new board to
34 regulate, license and examine physical therapists; that the State Board of
35 Physical Therapy should begin operations at the beginning of the next fiscal

1 year; that the next fiscal year begins on July 1, 1991. Therefore, an
2 emergency is hereby declared to exist and this act being necessary for the
3 immediate preservation of the public peace, health and safety shall be in full
4 force and effect on July 1, 1991.

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APPROVED: 4-10-91