

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1723

5 By: Representatives Williams, Vines  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW TO REPEAL OBSOLETE  
9 PROVISIONS OF TITLE 17 OF THE ARKANSAS CODE  
10 CONCERNING PROFESSIONS, OCCUPATIONS, AND BUSINESSES;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 TO AMEND ARKANSAS LAW TO REPEAL OBSOLETE  
15 PROVISIONS OF TITLE 17 OF THE ARKANSAS  
16 CODE CONCERNING PROFESSIONS, OCCUPATIONS,  
17 AND BUSINESSES.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 17-37-106, concerning certain prior rules  
24 and regulations of the State Plant Board, is repealed as its applicability  
25 has ended.

26 ~~17-37-106. Prior rules and regulations.~~

27 ~~The rules and regulations made under authority of Acts 1965, No. 111~~  
28 ~~{repealed}, shall continue in force and have the effect of law under~~  
29 ~~authority of this chapter, except that those parts that may be in conflict~~  
30 ~~with this chapter shall be considered invalid, and except as subsequently~~  
31 ~~amended, invalidated, or added to by the State Plant Board.~~  
32

33 SECTION 2. Arkansas Code § 17-42-410, concerning acts or violations of  
34 the real estate law occurring before August 1, 1997, is repealed as its  
35 applicability has ended.

36 ~~17-42-410. Applicability of Acts 1997, No. 781.~~



1       ~~The increased limits provided by § 17-42-406(a)(4)(A) shall apply only~~  
 2 ~~to acts or violations which occur after August 1, 1997. Any acts or~~  
 3 ~~violations which occur prior to that date shall continue to be governed by~~  
 4 ~~the previous limits of ten thousand dollars (\$10,000).~~

5  
 6       SECTION 3. Arkansas Code § 17-102-302, concerning the effect of  
 7 previous legislation on acupuncture and related licenses existing as of  
 8 August 1, 1997, is repealed as its applicability has ended.

9       ~~17-102-302. Effect on existing license.~~

10       ~~(a) Notwithstanding the requirements set forth in § 17-102-304, any~~  
 11 ~~acupuncturist validly certified by the National Certification Commission for~~  
 12 ~~Acupuncture and Oriental Medicine as of August 1, 1997, and residing and~~  
 13 ~~practicing acupuncture in this state as of December 31, 1996, shall upon~~  
 14 ~~application to the Arkansas State Board of Acupuncture and Related Techniques~~  
 15 ~~be issued a license without an examination.~~

16       ~~(b)(1)(A) Notwithstanding the requirements set forth in § 17-102-304,~~  
 17 ~~any acupuncturist not validly certified by the National Commission for the~~  
 18 ~~Certification of Acupuncturists as of August 1, 1997, but residing and~~  
 19 ~~practicing acupuncture in this state as of December 31, 1996, shall upon~~  
 20 ~~application to the board be issued a provisional license conditioned upon the~~  
 21 ~~acupuncturist's becoming certified by the commission within two (2) years of~~  
 22 ~~August 1, 1997.~~

23       ~~(B) While the license is provisional, the acupuncturist~~  
 24 ~~may practice acupuncture and related techniques in this state pursuant to a~~  
 25 ~~scope of practice set forth in writing by the board after review of the~~  
 26 ~~qualifications, training, and practice experience of the acupuncturist.~~

27       ~~(2) Upon obtaining certification and presenting it to the board,~~  
 28 ~~the acupuncturist shall be issued a nonprovisional license by the board.~~

29       ~~(3) Should certification not be obtained within the two-year~~  
 30 ~~period, the board shall immediately revoke the provisional license.~~

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 32       SECTION 4. Arkansas Code § 17-107-311, which grandfathered certain  
 33 licenses issued by the Arkansas Orthotics, Prosthetics, and Pedorthics  
 34 Advisory Board, is repealed as its applicability has ended.

35       ~~17-107-311. Grandfather provisions.~~

36       ~~(a)(1) Until December 31, 2007, the Arkansas Orthotics, Prosthetics,~~

1 and Pedorthics Advisory Board may issue a license to practice orthotics under  
 2 this chapter to:

3                   (A) ~~An individual who makes application for licensure as~~  
 4 ~~an orthotist, pays the required licensure fee, and submits evidence of~~  
 5 ~~certification from one (1) of the following:~~

6                   (i) ~~The American Board for Certification in~~  
 7 ~~Orthotics, Prosthetics and Pedorthics, Inc., as a Certified Orthotist or~~  
 8 ~~Certified Orthotist/Prosthetist;~~

9                   (ii) ~~The Board for Orthotist/Prosthetist~~  
 10 ~~Certification, Inc., as an Orthotist, BOC—Certified; or~~

11                   (iii) ~~Any other accrediting body with equivalent~~  
 12 ~~educational requirements and examination standards that is approved by the~~  
 13 ~~Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board; and~~

14                   (B)(i) ~~An individual who makes application for licensure,~~  
 15 ~~pays the required licensure fee, and submits evidence satisfactory to the~~  
 16 ~~Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board of a full-time~~  
 17 ~~practice in orthotics for a minimum of five (5) of the seven (7) years~~  
 18 ~~immediately prior to the date of application.~~

19                   (ii) ~~Licensure under this subdivision (a)(1) may~~  
 20 ~~require an investigation by the Arkansas Orthotics, Prosthetics, and~~  
 21 ~~Pedorthics Advisory Board of the applicant's work history and completion by~~  
 22 ~~the applicant of a questionnaire regarding the applicant's work history and~~  
 23 ~~scope of practice.~~

24                   (2) ~~Until December 31, 2007, the Arkansas Orthotics,~~  
 25 ~~Prosthetics, and Pedorthics Advisory Board may issue a license to practice~~  
 26 ~~pedorthics under this chapter to:~~

27                   (A) ~~An individual who makes application for licensure as a~~  
 28 ~~pedorthist, pays the required licensure fee, and submits evidence of~~  
 29 ~~certification from one (1) of the following:~~

30                   (i) ~~The American Board for Certification in~~  
 31 ~~Orthotics, Prosthetics and Pedorthics, Inc., as a Certified Pedorthist;~~

32                   (ii) ~~The American Board for Certification in~~  
 33 ~~Orthotics, Prosthetics and Pedorthics, Inc., as a Certified Orthotist,~~  
 34 ~~Certified Prosthetist, or Certified Orthotist/Prosthetist;~~

35                   (iii) ~~The Board for Orthotist/Prosthetist~~  
 36 ~~Certification, Inc., as an Orthotist, BOC—Certified or Prosthetist, BOC—~~

1 ~~Certified; or~~

2 ~~(iv) Any other accrediting body with equivalent~~  
 3 ~~educational requirements and examination standards that is approved by the~~  
 4 ~~Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board; and~~

5 ~~(B)(i) An individual who makes application for licensure~~  
 6 ~~as a pedorthist, pays the required licensure fee, and submits evidence~~  
 7 ~~satisfactory to the Arkansas Orthotics, Prosthetics, and Pedorthics Advisory~~  
 8 ~~Board of a full-time practice in pedorthics for a minimum of five (5) years~~  
 9 ~~of the seven (7) years immediately prior to the date of application.~~

10 ~~(ii) Licensure under this subdivision (a)(2) may~~  
 11 ~~include an investigation by the Arkansas Orthotics, Prosthetics, and~~  
 12 ~~Pedorthics Advisory Board of the applicant's work history and completion by~~  
 13 ~~the applicant of a questionnaire regarding the applicant's work history and~~  
 14 ~~scope of practice.~~

15 ~~(3) Until December 31, 2007, the Arkansas Orthotics,~~  
 16 ~~Prosthetics, and Pedorthics Advisory Board may issue a license to practice~~  
 17 ~~prosthetics under this chapter to:~~

18 ~~(A) An individual who makes application for licensure as a~~  
 19 ~~prosthetist, pays the required licensure fee, and submits evidence of~~  
 20 ~~certification from one (1) of the following:~~

21 ~~(i) The American Board for Certification in~~  
 22 ~~Orthotics, Prosthetics and Pedorthics, Inc., as a Certified Prosthetist or~~  
 23 ~~Certified Orthotist/Prosthetist;~~

24 ~~(ii) The Board for Orthotist/Prosthetist~~  
 25 ~~Certification, Inc., as a Prosthetist, BOC—Certified; or~~

26 ~~(iii) Any other accrediting body with equivalent~~  
 27 ~~educational requirements and examination standards that is approved by the~~  
 28 ~~Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board; and~~

29 ~~(B)(i) An individual who makes application for licensure~~  
 30 ~~as a prosthetist, pays the required licensure fee, and submits evidence~~  
 31 ~~satisfactory to the Arkansas Orthotics, Prosthetics, and Pedorthics Advisory~~  
 32 ~~Board of a full-time practice in prosthetics for a minimum of five (5) of the~~  
 33 ~~seven (7) years immediately prior to the date of application.~~

34 ~~(ii) Licensure under this subdivision (a)(3) may~~  
 35 ~~include an investigation by the Arkansas Orthotics, Prosthetics, and~~  
 36 ~~Pedorthics Advisory Board of the applicant's work history and completion by~~

1 ~~the applicant of a questionnaire regarding the applicant's work history and~~  
2 ~~scope of practice.~~

3 ~~(b) Beginning January 1, 2008, the Arkansas Orthotics, Prosthetics,~~  
4 ~~and Pedorthics Advisory Board shall issue a license only to:~~

5 ~~(1) An applicant for licensure as an orthotist who satisfies the~~  
6 ~~requirements of § 17-107-301;~~

7 ~~(2) An applicant for licensure as a pedorthist who satisfies the~~  
8 ~~requirements of § 17-107-302; and~~

9 ~~(3) An applicant for licensure as a prosthetist who satisfies~~  
10 ~~the requirements of § 17-107-303.~~

11  
12 SECTION 5. DO NOT CODIFY. The enactment and adoption of this act  
13 shall not repeal, expressly or impliedly, the acts passed at the regular  
14 session of the Eighty-Ninth General Assembly. All such acts shall have full  
15 force and effect, and so far as those acts intentionally vary from or  
16 conflict with any provision contained in this act, those acts shall have the  
17 effect of subsequent acts amending or repealing the appropriate parts of the  
18 Arkansas Code of 1987.

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21 APPROVED: 04/11/2013  
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