

ARKANSAS STATE BOARD OF HEALTH

SECTION OF EMERGENCY MEDICAL SERVICES

RULES ~~AND REGULATIONS~~

FOR

EMERGENCY MEDICAL SERVICES

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Promulgated Under the Authority of Act 435 of 1975

By the Arkansas State Board of Health

Arkansas Department of Health

Little Rock, Arkansas

**(Nathaniel Smith, MD, MPH, Secretary of
HealthDirector)**

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EMS RULES ~~AND REGULATIONS~~

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RULES ~~AND REGULATIONS~~ PERTAINING TO EMERGENCY MEDICAL SERVICES

AUTHORITY

The following Rules ~~and Regulations~~ Pertaining to Emergency Medical Services are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the Laws of the ~~S~~state of Arkansas in Ark. Code Ann. §20-13-200 et.seq., and other laws of the ~~S~~state of Arkansas.

SECTION I. DEFINITIONS

For the purpose of these ~~regulations~~ rules the following terms are defined:

- A. **Advanced Emergency Medical Technician (AEMT)**: A person who has successfully completed an ~~A~~advanced EMT education program approved by the Department and is licensed as an ~~A~~advanced EMT.
- B. **Advanced Response ServiceAgency**: A licensed non-transporting serviceagency that is requested to respond to the scene of an emergency, ~~and provides Advanced Life Support care to ill or injured patients prior to the arrival of a licensed transporting ambulance service, subject to compliance with the EMS Rules and Regulations relating to the level of care available from the responding personnel.~~
- C. **Air Ambulance**: ~~An Aircraft~~, fixed or rotary wing aircraft, utilized for on-scene responses or transports deemed necessary by a physician and licensed by the Department, ~~of Health~~
- D. **Air Ambulance Communication Specialist**: Personnel assigned to receive and coordinate all requests for the air medical-ambulance service.
- ~~E. **Air Ambulance Operation**: One aircraft making one flight in response to a patient transport request.~~
- ~~F. **Air Ambulance Personnel**: Personnel responsible for patient care on an air ambulance.~~
- G.E. **Air Ambulance Service – Emergency**: An air ambulance service that provides emergency scene flights which can also provide inter-facility transports.
- H.F. **Air Ambulance Service**: An entity operating an aircraft used for air transportation that is specifically designed to accommodate the air medical needs of persons who are ill, injured, wounded, or otherwise mentally or physically incapacitated or helpless; who may require emergency medical care in-flight, ~~and who, in a physician's opinion, cannot be safely transported on a standard commercial or charter flight. —Air Ambulances shall be permitted by the Department.~~
- I.G. **Air Ambulance Service Area**: The area of operation within the ~~S~~state of Arkansas for a licensed air ambulance service as defined by the service and on file with the Department.

J.H. Air Ambulance Service Medical Director: An Arkansas licensed ~~M~~medical ~~D~~doctor (MD) or ~~D~~doctor of ~~O~~osteopathy (DO) who provides medical oversight for any licensed air ambulance service, and who is either board certified or board eligible in emergency medicine or general surgery, and is on file with the Department as the ~~M~~medical ~~D~~irector.

I. Air Ambulance Service Medical Director (Specialty): An Arkansas licensed ~~M~~medical ~~D~~doctor (MD) or ~~D~~doctor of ~~O~~osteopathy (DO) who provides medical oversight for any licensed air ambulance service, that solely provides specialty air transport services (i.e.g. pediatrics, neonatal, high risk obstetrics), rotary or fixed winged aircraft. ~~†The individual requires licensure or board eligibility in emergency medicine, general surgery, pediatrics, neonatology, obstetrics or the specialty designation of the air ambulance service for which~~ they have medical oversight ~~for~~.

K.J. Air Medical Personnel: Personnel responsible for patient care on an air ambulance.

L.K. Ambulance (Ground): Those vehicles used for transporting any person by stretcher or gurney upon the streets or highways of Arkansas, excluding vehicles intended solely for personal use ~~by immediate family members~~. All Aambulances shall be issued a permitted by the Department.

M.L. Ambulance Service: Entities authorized and licensed by the Department to provide care and transportation of patients upon the streets and highways of Arkansas.

N.M. Community Paramedic: A paramedic that is licensed by the Department and provides care/services to patients not qualified for ~~H~~home ~~H~~health services or who are qualified but have rejected home health services; and meets all additional licensure requirements ~~as outlined in this rule~~.

O.N. Controlled Drugs: ~~Those d~~Drugs identified as Schedule II-V as designated by federal law.

P.O. Coordination Point: A fixed location(s) ~~where information about the~~ where information about an air ambulance service may be obtained and where ~~the~~ activities ~~of such as~~ dispatch, resource allocation, and flight operations are conducted.

Q.P. Department: The Arkansas Department of Health.

R.Q. Distributive Education: ~~a~~An educational activity in which the learner, the instructor, and the educational materials are not all present at the same time, and students and instructors are not able to interact in real time. Continuing Education (CE) activities that are offered online, via CD-ROM audio or video, or through reading journal articles ~~or listening to audio tapes~~ are considered distributive education. Virtual Instructor Led Training is not considered distributive education.

S.R. Emergency Medical Services: The transportation and medical care provided to the ill or injured prior to arrival at a medical facility by licensed ~~e~~Emergency ~~m~~Medical ~~technician~~ Services Personnel (EMSPT) or other healthcare providers and continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and

governing board of that facility; and ~~C~~comprehensive integrated medical care in emergency and non-urgent settings with the oversight of a physician.

~~T.S.~~ **Emergency Medical Services Advisory Council:** Those persons appointed by the Governor to assist and advise the Department concerning matters dealing with emergency medical services.

~~U.T.~~ **Emergency Medical Services Education Program (EEP):** Those organizations authorized and accredited by the ~~Section~~Department or the Committee on Accreditation of Educational Programs (CoAEMSP) to provide EMS education.

~~V.U.~~ **EMS Education Program Training Site Authorization and Accreditation:** Authorization and accreditation issued by the Department or the Committee on Accreditation of Educational Programs (CoAEMSP) to an organization for the purpose of engaging in EMS education in the state of Arkansas.

~~W.V.~~ **Emergency Medical Services Provider (EMSP):** An individual licensed by the department at any level established by the rules adopted by the State Board of Health and authorized to perform those services set forth in the rules. These shall include without limitation EMT, AEMT, paramedic, community paramedic, EMSP- Instructor.

~~X.W.~~ **Emergency Medical Services Provider – Instructor:** A person who has been licensed to teach Emergency Medical Services Provider courses after completing a Department approved EMSP - Instructor course and completion of all the instructor requirements.

~~Y.X.~~ **Emergency Medical Technician:** A person who ~~has been~~is licensed as an EMT, in Arkansas.

~~Z.Y.~~ **Emergency Vehicle Operator:** A person who has successfully completed a nationally recognized first responder course with a minimum of forty (40) hours of training and an Emergency Vehicle Operator course.

~~Emergency Medical Services Personnel – Instructor:~~ A person who has been licensed to teach Emergency Medical Services Personnel courses after completing a Department approved EMSP Instructor course and completion of all of the instructor requirements.

~~AA. Emergency Medical Services Personnel (EMSP):~~ An individual licensed by the department at any level established by the rules adopted by the State Board of Health under the subchapter and authorized to perform those services set forth in the rules. These shall include without limitation EMT, Advanced EMT, Paramedic, Community Paramedic, Emergency Medical Services Instructor, EMS Instructor Trainer.

~~BB.Z.~~ **Emergency Request:** A request for assistance to an incident ~~for a condition~~ which is perceived ~~by the individual~~ to have created an actual threat to human life or wellbeing where immediate medical intervention by any ~~Emergency Medical Service Personnel~~EMSP or other health professional is needed.

~~CC.AA.~~ **Encounter Form:** A patient care report~~ed~~ (PCR), that includes all State required data elements, and which has been approved by the Department that describes the EMS

encounter and is left with the ~~care~~ facility at time of service or within (24) twenty-four hours after transfer of care. This form may be electronic or a hard copy and must include a patient narrative.

~~Enrolled student: A student who is attending an EMSP educational program approved by the Department.~~

~~DD. Extrication Services: The services provided by the use of equipment for the purpose of gaining access and entry to entrapped patients.~~

~~EEBB. FAA FAR Part 135: Federal Aviation Administration Regulations governing air taxi operations and commercial operation of fixed-wing and rotor-wing aircraft.~~

~~FFCC. Fixed Wing Aircraft: A fixed-wing air ambulance licensed by the Department that is specially constructed and equipped and is intended to be used for transportation of emergency medical patients.~~

~~GGDD. Flight Nurse: A registered nurse (RN) licensed to practice in Arkansas who holds a current Arkansas EMSP L license. For a An Flight Nurse RN that solely provides air ambulance service specialty services (i.e.g. pediatrics, neonatal, or high risk obstetrics), or fixed-wing transports the Flight Nurse shall not be required to be an Arkansas licensed EMSP and shall not participate in air ambulance service – prehospital transports.~~

~~HHHE. Flight Physician: A physician assigned to flight duty. The physician must be a Post Graduate Year (PGY) 3 or above, with a current and valid license to practice medicine as a Mmedical Ddoctor (MD) or Ddoctor of Oosteopathy (DO) in Arkansas or in the state of primary operation of the air ambulance service, and who is This the physician must be board certified or board eligible in emergency medicine or general surgery or is certified or in the specialty (e.g. Neonatal, Pediatrics, high risk obstetrics, etc.) served by the transport service, and is This the physician must be certified in at least one of the following: Advanced Cardiac Life Support (ACLS), Pediatric Advanced Life Support (PALS), Neonatal Resuscitation Program (NRP) or their equivalent for the patient population served.~~

~~HHF. Ground Ambulance Service Area: The contiguous land area within a county defined by city or identifiable geographical landmarks or county boundaries for which area the ground ambulance service has an operational base and commits to provide all emergency medical services requested. Service Aarea Mmaps shall be kept on file and renewed annually with the Sservices license renewal.~~

~~JJGG. Intercept: Instances where a transporting service requests assistance from an ambulance service which provides an equal or higher level of medical care and/or transport.~~

~~KKHH. Licensure: Official acknowledgement by the dDepartment that an individual has demonstrated competence to perform the emergency medical services required for the licensure under the rules regulations, and standards adopted by the Arkansas bBoard of Health upon the recommendation by the Emergency Medical Services Advisory Council.~~

~~LLII. Legend Drug: Any drug which requires a prescription by a licensed physician as required by federal law.~~

MMJJ. Mass Casualty Incident: An ~~incident event~~ involving a number of people who are suddenly injured or become ill that overwhelms the local ambulance services, where the number of casualties vastly exceeds the local resources and capabilities in a short period of time. ~~in which many people are suddenly injured or become ill which results in the services available resources to become overwhelmed; which If requires~~ two or more additional ambulance services are required to respond to the same event; and/or assistance from the Department is needed to ~~help assist in the coordinateion of~~ medical resources, then ~~for the sick or injured~~ the Department shall be notified.

NNKK. Medical Director (Advanced Life Support Services): An Arkansas licensed ~~M~~medical ~~D~~doctor (MD) or ~~D~~doctor of ~~O~~osteopathy (DO) who shall be registered with the Department that is familiar with the design and operation of EMS systems and experienced in pre-hospital emergency care and emergency management of ill and injured patients. The ~~M~~medical ~~D~~irector shall be board certified or board eligible in Emergency Medicine or have current experience in emergency medicine. For ALS services that currently have a ~~M~~medical ~~D~~irector that is not Board Certified in Emergency Medicine and holds a current ACLS card, they shall be authorized to utilize that ~~M~~medical ~~D~~irector until such time they change or replace ~~M~~medical ~~D~~irectors.

OO LL. Medical Director (Basic Life Support Services): An Arkansas licensed ~~M~~medical ~~D~~doctor (MD) or ~~D~~doctor of ~~O~~osteopathy (DO) who is either an ~~E~~emergency ~~D~~epartment ~~P~~physician, or a ~~P~~physician who is either board certified or board eligible in their particular specialty.

PPMM. Medical Director (~~C~~ommunity ~~P~~aramedic ~~S~~ervice): An Arkansas licensed ~~M~~medical ~~D~~doctor (MD) or ~~D~~doctor of ~~O~~osteopathy (DO) who is either board certified or board eligible in a specialty that is involved in direct patient contact. ~~Each Community Paramedic-Medical Director shall be approved by the Department.~~

QQNN. Medical Facility: Any hospital, medical clinic, physician's office, nursing home or other health care facility.

RR OO. Medical Facility Transport Service: A medical facility regulated by the Department ~~of Health~~ that owns and operates an licensed stretcher ambulance-~~vehiele~~.

SSPP. Mutual Aid: An agreement between emergency responders to lend assistance across jurisdictional boundaries. This may occur due to an emergency response that exceeds local resources.

TTQQ. National Registry of Emergency Medical Technicians (NREMT): A not-for-profit, independent, non-governmental agency that functions as a registration agency which issues certificates of competency verified by achievement of minimal competencies of EMTs, ~~Advanced A~~EMTs and ~~P~~aramedics. NREMT provides a valid, uniform process to assess the knowledge and skills required for competent practice required by licensed

EMSPs(EMS)-personnel.

UURR. Of Unsound Mind: Means and includes the inability to perceive all relevant facts related to one's condition and proposed treatment of whether the inability is only temporary or has existed for an extended period of time or occurs or has occurred only intermittently and whether or not it is due to natural state, age, shock or anxiety, illness, injury, drugs or sedation, intoxication, or other cause of whatever nature. (See Ark. Code § 20-9-601).

VVSS. Operational Base: Facility within the service area of the ground or air ambulance service(s) designated to house the ground or air ambulance(s), crew members, supplies, and communication equipment.

WWTT. Paramedic: A person who has successfully completed an accredited Pparamedic education program approved by the Department and is licensed in Arkansas as a Pparamedic.

XXUU. Patient Care Performance Improvement Plan: A written plan that provides objective, systematic and comprehensive monitoring of the quality, safety and appropriateness of patient care; identifying and prioritizing opportunities for improvement. The Aambulance Sservice Mmedical Ddirector will be responsible for approving and supervising the service's patient care performance improvement plan.

YYVV. Program Director: An Individual responsible for oversight of a Department approved EMS education program. Program directors are authorized to verify the successful completion of EMS education.

ZZWW. Probation: An administrative action imposed on an EMS service, any EMSP license, EMSP-Instructor license or authorized and accredited training site for violations of EMS Rules and Regulations.

AAAXX. Protocols (Guidelines): Off line written standing orders authorized by ambulance services, approved and signed by the ambulance service Mmedical Ddirector of that the licensed ambulance service.

BBYY. Provisional Instructor: An EMT-EMSP who has completed initial instructor training but is in the process of finishing their teaching requirements, with appropriate recommendation from the training program Instructor-Trainer, before becoming a licensed EMS Instructor.

CCCZZ. Reaction Time: The time from when the emergency call is received by the ambulance services' dispatch and adequate information and adequate information is made available which identifies the location and nature of the call, and until the ambulance is enroute. This time shall be two (2) minutes or less.

DDDDAAA. Receiving Facility: A hospital emergency department, or a hospital, or medical facility capable of receiving and treating emergency patients.

EEEEBBB. Revocation: An administrative action imposed by the Department that terminates any ~~EMS service~~ EMSP license, ~~EMT license, EMT-Instructor license~~ or authorized training site for violating EMS Rules ~~and Regulations~~.

FFFCCC. Rotor-Wing Aircraft: A rotor-winged air ambulance ~~licensed~~ permitted by the Department that is specially constructed and equipped and is intended to be used for transportation of emergency medical patients.

GGGDDD. Service License: ~~Authorization License~~ issued by the Department to a person, firm, corporation, association, county, municipality, or other legal entity for the purpose of engaging in care and/or transport of patients in the ~~S~~state of Arkansas.

HHHEEE. Short Form: Abbreviated, Department approved Patient Care Report that is left at the Receiving medical ~~F~~facility at time of transfer of care when a completed encounter form is not available.

~~III. **Skills Evaluator (Basic):** A licensed EMT who has completed the state approved psychomotor skills evaluator course at the basic level and has been certified by the Department.~~

~~JJJ. **Skills Evaluator (Advanced):** A licensed Advanced EMT or Paramedic who has completed the state approved psychomotor skills evaluator course at the advanced level and has been certified by the Department.~~

KKKFFF. Specialty Crew Members: Any person substituted by the ~~M~~medical ~~D~~director or the ~~A~~air ~~A~~mbulance ~~S~~service ~~M~~medical ~~D~~director (Specialty) for a ~~S~~specialty ~~M~~mission.

LLLGGG. Specialty Mission: An assignment for an air ambulance ~~service for which~~ where the specified needs of a particular patient ~~which~~ may require the substitution of particular medical care providers, ~~M~~medical ~~D~~direction and/or equipment.

MMMHHH. Specialty Purpose Service: A licensed service that provides a specific medical service to a limited population group and emergency evacuation services only, and does not participate in the business of providing continuous general population response for emergency medical services.

NNNIII. Stretcher: Any apparatus that is used to transport individuals in the supine or Fowler's position. This includes all devices that can be transformed from wheelchair to stretcher.

OOOJJJ. Suspension: An administrative action imposed by the Department that temporarily removes an EMS service license, any EMSP ~~EMT License, EMT-Instructor License~~ or training site authorization and accreditation for violating EMS Rules ~~and Regulations~~.

PPPKKK. Training Site Representative: Individual responsible for the organization, coordination, and day-to-day operations of the EMSP P training programs.

QQQLLL. Volunteer Ambulance Service: An ambulance service operating an EMT-~~V~~ volunteer permitted ambulance that is staffed by personnel who perform and give services without

expectation of compensation.

~~RRRMMM~~. **Written Warning:** An administrative action imposed on an EMS service, ~~EMT certification, EMT-Instructor certification~~EMSP license, or authorized training-site for violating EMS Rules~~first-time or minor offenses unless otherwise stated~~.

SECTION II. PURPOSE

The purpose of these Rules ~~and Regulations~~ is to provide a framework to enhance care provided to the ill or injured by Emergency Medical Services Personnel.

SECTION III. LICENSURE OF AMBULANCE SERVICES

No person shall furnish, operate, maintain, conduct, advertise or in any way engage in or profess to engage in the business of providing transport of patients upon the streets and highways of Arkansas unless that person holds a valid ambulance service license issued by the Department of Health. This section shall not operate to alter the application of the Good Samaritan Act under Arkansas Code 17-95-101.

A. General Standards

An application for the issuance or annual renewal of an ambulance service license shall be made ~~on forms provided by~~ the Department and shall be accompanied by an applicable fee. All documentation and fees must be submitted to the Department prior to an EMS service or vehicle permit being issued. ~~NO~~No license shall be issued until ~~ALL~~all licensure requirements have been met.

1. Patient's choice of nearest appropriate medical facility

A licensed ambulance service may transport any patient to the care facility of the patient's choice if the licensee considers service area limitations and subject to applicable federal law and the licensee's local protocol. If the patient is unable to make a choice, and if the attending physician is present and has expressed a choice of care facility, the licensee may comply with the attending physician's choice if the licensee considers service area limitations and subject to applicable federal law. If the patient is unable to make a choice, or if the attending physician is not present or has not expressed a choice of facility the licensee may transport the patient to the nearest appropriate care facility subject to applicable federal law.

2. Reports to Medical ~~Facility~~Facilities

Each ground & air ambulance service shall notify the receiving medical facility by

radio or by a means agreed upon by the receiving facility in the event the radio is unavailable. The notification shall include at minimum impending arrival, patient condition and care rendered to the patient.

The ambulance service shall at the time of transfer of care leave a completed encounter form or a completed Department approved ~~S~~short ~~F~~form. If a ~~S~~short ~~F~~form is left with the ~~R~~eeiving ~~m~~edical ~~F~~facility, the ambulance service shall submit a completed ~~E~~ncounter ~~F~~form to the ~~r~~eeiving ~~m~~edical facility within twenty-four (24) hours from transfer of care. Ambulance services shall comply with all official requests for patient care records from medical facilities for patients that were transported to that medical facility. The Department may inspect the patient encounter forms of any ~~S~~service covered by these ~~R~~ules.

3. Reports to the Department

Each licensee shall report EMS data, as required by the Department for every request that results in the dispatch of a vehicle. All submissions shall be complete, reflect accurate information and submitted to the Department ~~by the last day of the subsequent month following~~ within fifteen (15) days of the dispatch date of the call. All ~~S~~services shall have an ~~audit process~~ quality assurance improvement process to ensure that each run has been submitted and that ~~the~~ data being submitted ~~is~~ are complete and accurate.

4. Insurance Requirements

Each licensee shall have in force and effect general liability insurance coverage, and liability insurance coverage for each vehicle owned and operated by or for the applicant or licensee. All policies shall be issued by an insurance company licensed to do business in the ~~S~~tate of Arkansas. Proof of current general liability insurance and coverage for each vehicle shall be submitted to the Department on initial application or renewal of ~~S~~service license. Each air ambulance service shall have in force and effect liability insurance coverage for each aircraft owned and operated by or for the applicant or licensee as required by the FAA. The ~~S~~service shall maintain evidence of proof of current liability insurance coverage for each aircraft. A license holder shall immediately notify the Department and cease operations if the coverage required by this section is cancelled or suspended.

5. Service License

Each ~~S~~service shall be issued a license in at least one (1) of the classifications set forth by the Department.

Each licensee, including air ambulance services, shall be required to obtain a separate service license in each county the ambulance service has an operational base.

Each ~~S~~service shall display a copy of the ambulance service license in a

prominent location on the premises of the ambulance service's operational base at all times

6. Issuance of licenses

All documentation and applicable fees must be submitted to the Department prior to any license being issued. No license shall be issued until all licensure requirements have been met.

7. Transferability of License

Service licenses shall only be transferable if all initial licensure paperwork fees are submitted to the ~~Section~~ Department prior to operation, unless otherwise approved by the Department.

8. Change in Information

Service licenses holders shall notify the Department by certified mail within ten (10) days after any of the information contained in the application changes or becomes inaccurate.

9. Advertising

An ambulance service shall not advertise to the general public, skills, procedures, staffing or personnel licensure levels which cannot be provided on every emergency request, twenty-four (24) hours a day, seven (7) days a week.

10. Service Area

The service area of each licensed ambulance service shall be clearly identified on a map provided by the Department and submitted annually to the Department. A licensed ~~S~~service may cross county lines to serve a portion of an adjoining county with an agreement with the licensed ~~S~~service(s) in the adjoining county, and in accordance with written contracts or agreements between the ambulance service and city/county governments as they may exist. This agreement shall be submitted to the Department annually with the service area map. This excludes ~~A~~air ~~A~~ambulance ~~S~~services.

11. Securing Patients

An ambulance service shall only transport patients who are properly secured based upon the ambulance manufacture's recommendations and/or federal requirements.

~~Intercepts~~

~~An Intercept can be requested by the in-charge lead emergency medical services personnel of the transporting ambulance if the patient's condition dictates.~~

13.12. Patient Consent

- a. It is recognized and established that, in addition to such other persons as may be so authorized and empowered, any one (1) of the following persons is authorized and empowered to consent, either orally or otherwise, to any surgical or medical treatment or procedures not prohibited by law which may be suggested, recommended, prescribed, or directed by a licensed physician:
- 1) Any adult, for himself;
 - 2) Any parent, whether an adult or an unemancipated minor, for a minor child or for an adult child of unsound mind whether the child is of the parent's blood, is an adopted child, is a stepchild, or is a foster child; provided However, the father of an illegitimate child cannot consent for the child solely on the basis of parenthood;
 - 3) Any married person, whether an adult or a minor, for self;
 - 4) Any female, regardless of age or marital status, for herself when given in connection with pregnancy or childbirth, except the unnatural interruption of a pregnancy;
 - 5) Any person standing in loco parentis, whether formally serving or not, and any guardian, conservator, or custodian, for his ward or other charge under disability;
 - 6) Any emancipated minor, for himself;
 - 7) Any unemancipated minor of sufficient intelligence to understand and appreciate the consequences of the proposed surgical or medical treatment or procedures, for himself;
 - 8) Any adult, for his minor sibling or his adult sibling of unsound mind;
 - 9) During the absence of a parent so authorized and empowered, any maternal grandparent and, if the father is so authorized and empowered, any paternal grandparent, for his minor grandchild or for his adult grandchild of unsound mind;
 - 10) Any married person, for a spouse of unsound mind;
 - 11) Any adult child, for his mother or father of unsound mind;
 - 12) Any minor incarcerated in the Department of Correction or the Department of Community Punishment, for himself
- b. In addition to any other instances in which consent is excused or implied at

law, consent to surgical or medical treatment or procedures suggested, recommended, prescribed, or directed by a licensed physician will be implied in the following circumstances:

- 1) Where an emergency exists and there is no one immediately available who is authorized, empowered to, or capable of consent. An emergency is defined as a situation wherein, in competent medical judgment, the proposed surgical or medical treatment or procedures are immediately or imminently necessary and any delay occasioned by an attempt to obtain a consent would reasonably be expected to jeopardize the life, health, or safety of the person affected or would reasonably be expected to result in disfigurement or impaired faculties;
- 2) Where any emergency exists, there has been a protest or refusal of consent by a person authorized and empowered to do so, and there is no other person immediately available who is authorized, empowered, or capable to consent but there has been a subsequent material and morbid change in the condition of the affected person.

14.13. Prohibition

Ambulance services shall not carry nor dispense any drugs or medications or perform any procedure that is outside of the EMSP's ~~S~~scope of ~~P~~practice.

15.14. Out-of-State Ambulance Contracts for Disaster Assistance

Ambulance services shall contact the Department prior to deploying or sending any Arkansas permitted ambulances to another state(s) to fulfill obligations of a state/federal/private contract or agreement for a disaster. ~~The A~~ambulance service shall contact the Department during regular business hours or the Department Emergency Communication Center after hours.

16.15. Mutual Aid

A pre-arranged mutual aid agreement with another Arkansas ~~L~~icensed ~~S~~service shall be in place or by activation of a mass casualty incident through the Department.

17.16. Primary Responder(s)

Ground ambulance services are the primary pre-hospital emergency responder for each emergency scene request within their service area. Air ambulance services are considered secondary emergency responders when requested by a patient, bystander, or responders at the scene. In the event of a mass casualty incident or an extenuating circumstance, an air ambulance service may be considered a primary responder if access to patients is delayed or inaccessible by ground ambulances. If an air ambulance service is notified by a patient, bystander, ~~or~~ responder prior to

arrival of ground ambulance service, the air ambulance service shall immediately activate the ground ambulance service within that service area.

18.17. Transportation of non-patient care equipment

Items not related to patient care may only be transported in an ambulance that is considered out of service, this excludes service / guide dogs as defined by Arkansas Code Annotated §20-14-308.

SECTION IV. GROUND AMBULANCE SERVICE LICENSURE
CLASSIFICATION AND GENERAL STANDARDS

A. Ambulance Service Classifications

1. Licensed ~~C~~community ~~P~~paramedic ~~S~~services shall have vehicles permitted at the ~~C~~community ~~P~~paramedic level. Only licensed ~~P~~paramedic ~~S~~services may operate a ~~C~~community ~~P~~paramedic ~~P~~program or vehicles.
2. Licensed ~~P~~paramedic Services shall have fifty percent (50%) or more ambulances permitted at the ~~P~~paramedic level. Only licensed ~~P~~paramedic ~~S~~services may operate ~~P~~paramedic ambulances.
3. Licensed ~~A~~advanced ~~A~~EMT ~~S~~services shall have fifty percent (50%) or more ambulances permitted at the ~~A~~advanced ~~A~~EMT level. Only ~~A~~advanced ~~A~~EMT and ~~P~~paramedic ~~S~~services may operate ~~A~~advanced ~~A~~EMT ambulances.
4. Licensed EMT ~~S~~services shall have ambulances permitted only at the EMT level. Paramedic and ~~A~~advanced ~~A~~EMT ~~S~~services may also operate EMT ambulances.
5. Licensed ~~A~~advanced ~~R~~response ~~S~~services shall only have vehicles permitted at the ~~A~~advanced ~~R~~response level.
6. Licensed EMT ~~S~~specialty ~~S~~services shall only have ambulances permitted at the EMT ~~S~~specialty ~~L~~level.
7. Licensed EMT ~~V~~volunteer Services shall only have ambulances permitted at the EMT ~~V~~volunteer ~~L~~level.
8. Licensed ~~M~~medical ~~F~~facility ~~T~~transport ~~S~~services shall have ambulances permitted as a ~~S~~stretcher ambulance
- 8.9. A licensed ambulance service with multiple levels of permitted vehicles, if not meeting the requirement for tiered response (see Section IV.C.), shall respond to each emergency requests with the highest permitted vehicle at the time of the request until those resources are depleted or are not available.

~~*Paramedic, Advanced EMT and EMT S services may not license EMT--
S specialty, EMT-Volunteer or S stretcher Ambulances~~

B. General Standards for Paramedic, Advanced EMT, EMT, Advanced Response, EMT Specialty, EMT Volunteer, and Medical Facility Transport Services: Medical Direction

1. ~~A licensed ambulance service with multiple levels of permitted vehicles shall respond to each emergency requests with the highest permitted vehicle at the time of the request until those resources are depleted or are not available.~~
2. ~~Each licensee shall notify the receiving hospital while enroute of impending arrival time, patient condition and care rendered to the patient.~~
- 3.1. Each licensed EMS service shall have a Mmedical ~~D~~director. This Mmedical ~~D~~director must provide the Drug Enforcement Agency license for the service. Exceptions include volunteer services, unless medications are part of the service protocols/guidelines. The medical director shall:

~~EMT, EMT Specialty and EMT Volunteer licensed services administering or carrying medications will be granted six months from the effective date of this Rules to comply with the Medical Director requirements. The medical director shall:~~

- a. ~~provide monitoring and supervision of the medical field performance of each supervised EMS Service Agency's EMS personnel. This responsibility may be delegated to other physicians or other qualified health care professionals designated by the medical director. However, the medical director delegate other physicians or qualified healthcare professionals designated by the medical director to monitor and supervise the medical field performance of each EMS agency's EMSPs. However, the medical director shall retain ultimate authority and responsibility for the monitoring and supervision, for establishing protocols and standing orders and for the competency of the performance of authorized medical acts.~~
- b. ensure annually review all that all service protocols/guidelines and ensure that they are appropriate for the licensure level of each EMSP ~~Personnel~~ to whom the performance of medical acts is delegated and authorized, and compliant with accepted standards of medical practice and in line with the Departments minimum patient care guidelines. The medical director shall be familiar with the training, knowledge and competence of each of the EMSP ~~Personnel~~ to whom the performance of such acts is delegated.
- c. notify the Department within fourteen (14) business days prior to his or her cessation of duties as medical director.
- d. ensure the licensed services, for which direction is provided is in compliance with these Rules.
- e. have the authorization to limit the scope of practice or remove their

affiliation of any EMSP under their direction. Medical directors who limit or remove their affiliation from an EMSP shall immediately notify the Department in writing outlining why these steps were taken.

- f. Have knowledge and oversight of their EMS Service who is participating in EMSP field/clinical times and ensure that students are at all times under the direct supervision of an Arkansas licensed EMSP at or above the level of the EMSP's course of training.

Physicians acting as medical directors for EMS education programs recognized by the Department that require clinical and field internship performance by students shall be permitted to delegate authority to a student-in-training during their performance of program-required medical acts and only while under the control of the education program.

~~e. A medical director may limit the scope of practice of any EMS Personnel under their direction.~~

~~f. Written protocols shall be reviewed annually by the services Medical Director (if applicable) and prior to implementation of new protocols.~~

- ~~4. EMS Services participating in EMSP field/clinical times shall ensure that students are at all times under the direct supervision of an Arkansas licensed EMSP at or above the level of the EMSP's course of training.~~

C. Tiered Response

~~a1. Tiered Response:~~ A licensed ambulance service which has either its own dispatch center or utilizes an outsourced or commercial dispatch service. The dispatch service must and uses a dispatch process with certified emergency medical dispatchers that is recognized by the ~~Section-Department~~ and is reliably able to differentiate and categorize the severity of the emergency call ~~and may~~ assign the appropriate level of ambulance to that call. Services utilizing a tiered response dispatch process shall meet the following provisions:

- a. ~~The-Each~~ emergency call must be answered and screened by a certified Emergency Medical Dispatcher (EMD). EMD Certification must be obtained and maintained by a National Recognized Certifying body that is recognized by the ~~Section-Department of EMS.~~ EMD Certification or License shall be made available for review during EMS service inspections.
- b. The EMD Center must have ~~M~~medical ~~Direction-director~~ oversight.
- c. The service shall be required to have a quality assuranceimprovement program in place to ~~i~~ensure compliance with their service tiered response protocols and shall be reviewed by the ~~M~~medical ~~D~~irector within thirty (30) days of the call date.

- d. All tiered responses that require a higher level intercept shall be tracked separately and reported to the ~~section~~Department on a quarterly basis.
- e. The service shall have a process in place that would specifically and reliably identify which calls are appropriate for less than the highest level of permitted ambulance and track all calls in which this dispatch process is implemented.
- f. All requirements are met for the ambulance that is responding ~~for~~to include equipment, personnel and licensure standards set forth in regulation.

D. Quality AssuranceImprovement and Service Records

1. Each licensed emergency medical services ~~personnel~~agency shall conduct a quality ~~assurance~~improvement program. The quality ~~assurance~~improvement program shall evaluate patient care and personnel performance for compliance with the current standards of practice as set forth in the services medical protocols/~~guidelines~~, ~~regulations~~, and standards of Emergency Medical Services scope of practice. Reviews should be conducted at least quarterly, to assess, monitor, and evaluate the quality of patient care provided. Documentation for the quality ~~assurance~~improvement program and review shall include the following:
 - a. The criteria used to select audited runs;
 - b. Ambulance encounter form review;
 - c. Problem identification and resolution
 - d. Investigation of complaints or incident reports;
 - e. Date of review;
 - f. Attendance at the review;
 - g. A summary of the review discussion.
2. Any authorized representative of the Department shall have the right to enter the premises of any service or permitted ambulance at any time in order to make whatever inspection necessary in accordance with the minimum standards and regulations prescribed herein. Each service shall maintain and make available (during normal business hours) to the Department for inspection records including, but not limited to:
 - a. Patient Care Records;
 - b. Equipment checks;
 - c. Personnel certifications, continuing education and credentialing;
 - d. Policies and procedures; and
 - e. Any documents related to service licensure.

EE. General Standards for Community Paramedic Services

1. Each licensed ~~C~~community ~~P~~paramedic service shall have a ~~M~~medical ~~D~~director.

This ~~M~~medical ~~D~~director must provide the Drug Enforcement Agency license for the service. The medical director shall:

- a. have an active Arkansas state licenses and must maintain their license at all times.
- b. be either Board Certified or Board eligible in a specialty that is involved in direct patient contact. Each ~~M~~medical ~~D~~director shall be approved by the Department.
- c. provide monitoring and supervision of the medical field performance of each ~~E~~community ~~P~~paramedic and be actively involved in all aspects of the program, including but not limited to training, provider selection, quality assuranceimprovement, and evaluation of the programs goals and objectives.
- d. retain ultimate authority and responsibility for the monitoring and supervision, for establishing protocols/guidelines and standing orders and for the competency of the performance of authorized medical acts.
- e. ensure that all protocols/guidelines are appropriate for ~~E~~community ~~P~~paramedic to whom the performance of medical acts is delegated and authorized, and compliant with accepted standards of medical practice.
- f. be familiar with the training, knowledge and competence of each of the EMS Personnel to whom the performance of such acts is delegated.
- g. notify the Department ~~within fourteen (14) business days-~~
~~priorimmediately upon~~ to his or her cessation of duties as medical director.
- h. ensure the licensed service for which direction is provided is in compliance with these Rules.

~~A medical director may limit the scope of practice of any EMS Personnel under their direction.~~

2. Each licensed emergency medical services agency shall conduct a quality assuranceimprovement program. The quality assuranceimprovement program shall evaluate patient care and personnel performance for compliance with the current standards of practice as set forth in the services medical protocols, regulations, and standards of Emergency Medical Services scope of practice. Reviews should be conducted at least quarterly, to assess, monitor, and evaluate the quality of patient care provided. Documentation for the quality assuranceimprovement program and review shall include but is not limited to the following:
 - a. The criteria used to select audited runs;
 - b. Patient encounter form review;

- c. Problem identification and resolution;
 - d. Investigation of complaints or incident reports;
 - e. Date of review;
 - f. Attendance at the review;
 - g. A summary of the review discussion.
3. Any authorized representative of the Department shall have the right to enter the premises of any service or permitted ambulance at any time in order to make whatever inspection necessary in accordance with the minimum standards and regulations prescribed herein. Each service shall maintain and make available (during normal business hours) to the Department for inspection records including, but not limited to:
- a. Patient Care Records;
 - b. Equipment checks;
 - c. Personnel certifications, continuing education and credentialing;
 - d. Policies and procedures; and
 - e. Any documents related to service licensure.

F. Specific Standards

1. Licensed Paramedic Services shall:

- a. provide twenty-four (24) hour emergency ambulance service coverage. All services shall have a documented plan ensuring coverage within the services service area at all times.
- b. meet the two-minute reaction time.
- c. maintain a register of legend drugs to include type, quantity, date received, date of expiration and physician authorizing purchase and usage.
- d. maintain a copy of the Department approved Medication Policy and Procedure which meets the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control.
- e. have an Arkansas licensed ~~M~~medical ~~D~~director as defined in Section I, ~~M~~medical ~~D~~director (Advanced Life Support Services).
- f. maintain a copy of the physician Drug Enforcement Agency (DEA) registration to be utilized in acquiring controlled drugs.

2. Licensed Community Paramedic Services may provide care/services to:

- ~~a. Community Paramedics may provide care/services to:~~ Discharged patients who have been screened for home health or hospice and;

- c. have a ~~M~~medical ~~D~~director as defined in Section I of these rules. (If medications or expanded skills are in the EMT services protocols)
- d. maintain on file with the Department a copy of the Medication Policy and Procedure which meets the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control. (If medications or the expanded skills are in the EMT services protocols)
5. Licensed Advanced Response ~~Services~~Agency shall:
- a. provide emergency care to critically ill or injured patients prior to the arrival of a licensed transporting ambulance service.
- b. ~~provide twenty-four (24) hour emergency ambulance service coverage~~ be a government entity or a licensed ambulance service for a service area in which they are currently licensed.
- c. meet a two-minute reaction time
- d. only be permitted at the ~~P~~paramedic level.
- e. shall maintain a register of legend drugs to include type, quantity, date received, date of expiration and physician authorizing purchase and usage if narcotics are carried.
- f. have a ~~M~~medical ~~D~~director as defined in Section I, Medical Director (Advanced Life Support Services). Advanced Response Agencies shall have coordinated and agreed upon guidelines/protocols by all transporting agency medical directors within the advanced response agency's service area.
- g. maintain a copy of the Department approved Medication Policy and Procedures that meet the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control if narcotics are carried.
- h. staff each vehicle with at least one (1) licensed ~~P~~paramedic at all times.
- i. ~~only transfer care to a licensed Pparamedic transporting service~~ or maintain advanced level of care throughout transport if care is rendered to a basic life support transporting ambulance service.
- i.j. Agencies not operating on a twenty-four (24) hour, seven (7) days a week basis, shall provide all of the licensed transporting ambulance services within their service area a schedule of operation that clearly indicates the levels of coverage and times of availability. Agencies are required to immediately notify the licensed transporting ambulance services of any changes to the

schedule in real-time. It is the responsibility of the advanced response agency to notify the local licensed transporting ambulance services of dispatched advanced response vehicles.

6. Licensed ~~EMT~~ Specialty Service:

- a. An ~~EMT~~ ~~S~~specialty ~~S~~service ~~L~~license shall be issued to an applicant who provides a specific medical service to a limited population group and emergency evacuation services only, and does not participate in the business of providing continuous general population response for emergency medical services and is limited to pediatrics, neonatal, high risk obstetrics, or the industrial settings).
- b. A specialty service shall have a ~~M~~medical ~~D~~director as defined in Section I, ~~M~~medical ~~D~~director (Basic Life Support Services see Section I. KK and for Advanced Life Support Services see Section I. JJ). This applies to ~~B~~basic ~~L~~life ~~S~~support ~~S~~services if medications or expanded skills are in the EMT services protocols/guidelines.
- c. A specialty service shall maintain on file with the Department a copy of the Medication Policy and Procedure which meets the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control. (If medications or the expanded skills are in the EMT services protocols/guidelines)

7. Licensed EMT Volunteer Service:

- a. An EMT ~~V~~volunteer ~~S~~service ~~L~~license shall be issued to an applicant whose ambulances are staffed by personnel who perform and give services without expectation of compensation.
- b. An EMT volunteer service shall have a ~~M~~medical ~~D~~director as defined in Section I. KK of these rules. (If medications or expanded skills are in the EMT services protocols/guidelines)
- c. An EMT volunteer service shall maintain on file with the Department a copy of the Medication Policy and Procedure which meets the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control. (If medications or the expanded skills are in the EMT services protocols/guidelines)

8. Licensed Medical Facility Transport Service

- a. A ~~M~~medical ~~F~~facility ~~T~~transport ~~S~~service shall be issued to a ~~M~~medical ~~F~~facility that is regulated by the Arkansas Department of Health that owns and operates a stretcher ambulance vehicle.

b. The following criteria shall be met to obtain a ~~M~~medical ~~F~~facility ~~T~~transport ~~S~~service license:

- 1) Use license solely for the purpose of transporting a patient from one location to another for medical tests or treatments and the patient is returned within twenty-four (24) hours.
- 2) Receive authorization from the patient's treating physician for the transport.
- 3) Keep the transport within a thirty (30) mile radius of the health facility.
- 4) The health facility owns and operates the transporting service.
- 5) Only medically stable and non-emergent individuals may be transported.
- 6) If the medical condition of a patient suddenly changes which requires care to be rendered, the operator of the Stretcher Ambulance will immediately divert to the closest hospital and/or contact the local EMS service to request assistance appropriate emergency care shall be initiated and continued until the EMS service has intercepted the transport or arrival at the hospital.

c. Stretcher ambulances shall not transport patients requiring the following:

- 1) Invasive procedures (I.V. therapy, drug administration, I.V. pumps, etc.).
- 2) Mechanical monitoring procedures.
- 3) Mechanical respiratory procedures.
- 4) Oxygen therapy, excluding patient-owned equipment.

SECTION V. PERMITTING OF GROUND EMERGENCY VEHICLES

A. Application

An application for the issuance or renewal of an emergency vehicle permit shall be made on forms provided by the Department.

B. Ground Vehicle General Standards

1. Each vehicle of a licensed ground ambulance service shall be issued a permit in one of the classifications set forth below.

a. Paramedic

~~a.~~b. Community Paramedic

~~b.~~c. Advanced-EMT

~~c.~~d. EMT

~~d.~~e. Advanced Response

~~e.~~f. EMT-Volunteer (EMT-V)

f.g. EMT-Specialty (EMT-S)

g.h. Stretcher

2. A vehicle may not be permitted by the Department or operated as an ambulance prior to the submission and approval of all required documentation, fees and a Department inspection.
3. Vehicles must meet applicable requirements set forth in these Rules prior to receiving or retaining a vehicle permit.
4. Permits shall be for a period not to exceed one (1) year.
5. New ambulances replacing a permitted vehicle or being added to an existing service license must be inspected and permitted prior to being placed in service.
6. Any medical equipment carried on an ambulance outside the approved equipment list, shall have prior written approval by the Department. No equipment or supplies shall be carried on an ambulance which would permit an EMSP to render care beyond the scope of practice and/or violate these Rules.
*Excludes community paramedic
7. Ambulances used for the transportation of patients must have supplies and equipment for the protection of personnel and patients from infectious diseases and for personal safety.
8. Ambulances shall be equipped with fasteners of the quick-release type to secure the cot to the floor or side walls that meet Ambulance Manufacturing Division (AMD) standard 004. Stretcher mounts must be capable of fastening the stretcher to the vehicle to prevent any movement of the stretcher when in its fastened position.
9. Only ambulances of a ~~P~~paramedic or ~~A~~dvanced-EMT Service shall be equipped with ALS Equipment unless a prior request for an upgrade has been made and approved by the Department.
10. Temporary upgrades and downgrades of permitted ambulances are for mechanical reasons only and must be for a temporary period of time. Notice shall be made in writing on approved forms to the Department prior to any changes in equipment or staffing of permitted ambulances. Upgrades and downgrades are not permitted for the purposes of staffing. Permanent upgrades and downgrades shall follow the same guidelines as a new vehicle permit.
11. Each permitted ambulance must have the ambulance service name clearly displayed in contrasting color(s) on each side and rear of the ambulance such that it is easily identifiable by the general public. The following identifiers shall also be displayed in contrasting color(s)*:
 - a. "Star of Life" emblem must be displayed on the top of the ambulance.

- b. The permit sticker issued by the Department will be displayed on the rear lower left corner of the ambulance.

The following identifiers may also be displayed in contrasting color(s):

- a. The permit level of the ambulance may be displayed on the front two fenders of the ambulance.
 - b. The word “Ambulance” labeled in mirror image located on the front of the ambulance hood.
 - c. The word “Ambulance” on the rear of the ambulance.
- 12. Each ambulance shall be equipped with a siren capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500’). The warning device shall not be used except when the ambulance is operated in response to an emergency call. (Reference Arkansas Code Annotated §27-37-202)
*Community paramedic and Sstretcher ambulances may not be equipped with audible warning devices.
 - 13. Each ambulance shall be equipped with an emergency lighting system that shall provide 360 degrees of conspicuity for safety during all missions. This includes at a minimum, a flashing emergency light bar or equivalent, two (2) alternating flashing red lights located at the same level on the front and sides and to the rear two (2) alternating flashing red lights located at the same level. These lights shall have sufficient intensity to be visible at five hundred feet (500’) in normal sunlight.
*Community paramedic and Sstretcher ambulances may not be equipped with warning lights.
 - 14. All lighting, both interior and exterior, shall be fully operational, including lens caps.
 - 15. Electrically powered suction aspirator systems shall be installed and fully functional.
 - 16. Each ambulance shall be equipped with a minimum of one (1) fire extinguisher.
 - 17. Each ambulance shall be equipped with a backup alert alarm, (audible warning device) activated when the vehicle is shifted into reverse and a load management system to ensure power to essential patient care equipment is protected.
 - 18. All designated seating positions in the patient compartment shall be equipped with safety restraint systems appropriate for each type of seating configuration and shall be fully operational. There shall be no less than 43” of seat to ceiling space for all personnel sitting positions.
 - 19. All oxygen tanks shall be secured, with the main oxygen tanks regulator

indicating the cylinder pressure visible from within the patient compartment. The O₂ tank retention system shall meet AMD standard 003. Oxygen must be medical grade and contain at least 500 PSI at all times.

20. Each permitted ambulance shall have two-way direct communication with dispatch centers and/or base stations, other emergency medical service vehicles and receiving hospitals. The following frequencies are mandated:

155.280 MHz

155.235 MHz

155.340 MHz

All permitted ambulances of licensed services that are participating in the Trauma System must have a Trauma AWIN radio that is in operating condition.

21. All ambulances permitted by the Department shall carry the minimum approved supplies and equipment for the level of licensure of the ambulance. All equipment and supplies shall be clean, sanitary and in good working order.

*See Appendix 1

22. Each ambulance shall have no structural or functional defects that may adversely affect the patient, EMS ~~P-personnel~~, or the safe operation of the vehicle to include steering systems, brakes, and seatbelts.

23. Tires shall be appropriate for the gross vehicle weight of the vehicle and shall not be damaged or have excessive tread wear.

24. The ambulance exhaust system, as well as the gaskets surrounding the vehicles exterior doors and windows shall be in good condition and free of leaks and the vehicle exhaust system shall extend beyond the sides of the patient compartment and away from doors.

25. The patient compartment of all ambulances shall be adequately heated, air-conditioned, and ventilated.

26. The interior of the ambulance and the equipment therein shall be maintained in a manner that is safe, clean, and in good working order at all times.

27. Each ambulance shall be equipped with functioning windshield wipers.

28. All doors and door latches both inside and outside of the vehicle shall be fully functional.

29. Licensed services shall ensure that all outdated, misbranded, adulterated or deteriorated fluids, supplies and medications are removed from an ambulance immediately.

30. The interior of the ambulance, including all storage areas, must be kept clean so as

to be free from dirt, grease, and other offensive or contaminated matter.

31. The Department may, at its sole discretion, inspect each ~~permitted~~ licensed ambulance subject to the requirements of these ~~Rules and regulations~~. The Department may inspect an ambulance or its maintenance records at any time or place to determine if the ambulance is being operated safely and in compliance with these ~~regulations~~ Rules.
32. Each vehicle shall meet the basic medical and extrication equipment requirements. If an ambulance service does not provide extrication services a letter shall be submitted to the Department from an agency that provides extrication capabilities within the service area of the ambulance service. The letter shall be submitted with the ambulance services initial and annual renewal application.
33. Each permitted vehicle shall keep a current copy, either in print or electronic, of the services approved ~~offline~~ medical director approved control protocols/guidelines in the ambulance at all times.
34. Licensee-EMSP shall perform only those skills at the level of the permitted vehicle.

**Does not apply to Stretcher Ambulances*

C. Ambulance Staffing Requirements

1. Paramedic Permitted Ambulances

- a. Each ~~P~~paramedic permitted ambulance shall be staffed at all times by a minimum of two (2) licensed individuals, one (1) of whom shall be a ~~P~~paramedic. The remaining individual may be a ~~P~~paramedic, AEMT~~Advanced Emergency Medical Technician~~, or ~~Emergency Medical Technician~~. The ~~P~~paramedic shall staff the patient compartment at all times during patient transport.

2. ~~Advanced~~ EMT Permitted Ambulances

- a. Each ~~A~~advanced AEMT permitted ambulance shall be staffed at all times by a minimum of two (2) licensed individuals, one (1) of whom shall be a ~~P~~paramedic or ~~AEMT~~advanced Emergency Medical Technician. The remaining individual may be a ~~P~~paramedic, ~~AEMT~~advanced Emergency Medical Technician, or ~~EMT~~emergency Medical Technician. The ~~AEMT~~advanced EMT or ~~P~~paramedic shall staff the patient compartment at all times during patient transport.

3. EMT Permitted Ambulances

- a. Each permitted ambulance shall be attended by two (2) licensed

individuals. Each EMT permitted ambulance shall be staffed at all times by a ~~P~~paramedic, ~~AEMT~~~~advanced EMT~~, or EMT. The EMT, ~~AEMT~~~~advanced EMT~~ or ~~P~~paramedic shall staff the patient compartment at all times during patient transport.

- b. Permitted ambulances that are providing general patient transfers and not primary 9-1-1 emergency responses, or that have depleted all available 9-1-1 resources may staff their ambulances in the following manner.
 - a1) Each permitted ambulance shall be staffed at all times by a minimum of two (2) individuals, one (1) of whom shall be a ~~P~~paramedic, ~~AEMT~~~~advanced EMT~~, or EMT with any of the above in the patient compartment at all times during patient transport. The second individual must be at a minimum trained as an ~~E~~emergency ~~V~~ehicle ~~O~~perator (EVO).

4. Advanced Response Permitted Vehicles

- a. Vehicles shall be ~~P~~permitted at the paramedic level only and ~~Each Advanced Response permitted vehicle~~ shall be staffed at all times by a minimum of one (1) licensed ~~P~~paramedic.
- b. Transfer patient care to a licensed paramedic transporting service or maintain advanced level of care throughout transport if care is rendered to a basic life support transporting ambulance service.

5. EMT-Volunteer Permitted Ambulances

- a. Each EMT Volunteer permitted ambulances shall be staffed at all times by a minimum of two (2) individuals, one (1) of whom shall be a licensed physician, ~~P~~paramedic, ~~AEMT~~~~advanced EMT~~, RN, or ~~Emergency Medical Technician~~, with any of the above in the patient compartment at all times during patient transport. The second individual must be at minimum trained in CPR (~~Healthcare Provider~~Basic Life Support).

6. ~~EMT~~-Specialty Permitted Ambulances

- a. Each ~~EMT~~-Specialty permitted ambulances shall be staffed at all times by a minimum of two (2) individuals, one (1) of whom shall be a licensed physician, ~~P~~paramedic, ~~AEMT~~~~advanced EMT~~, RN, or ~~Emergency Medical Technician~~, with any of the above in the patient compartment at all times during patient transport. The second individual must be at minimum trained in CPR (~~Healthcare Provider~~Basic Life Support).

7. Permitted Stretcher Ambulances

- a. Each ambulance used for the non-emergent transport of ~~passengers~~patients will be staffed by a minimum of two (2) individuals. One (1) shall be trained at a minimum in CPR (~~Healthcare Provider~~Basic Life Support), and one (1) shall be an Arkansas ~~Certified licensed~~EMSP~~Emergency Medical Technician~~Service Provider, LPN, RN, MD or DO. The certified/licensed individual shall be attending the ~~passenger~~patient during the transport.

SECTION VI AIR AMBULANCE SERVICE LICENSURE CLASSIFICATION STANDARDS

A. Air Ambulance Service Classifications

1. Each vehicle of a licensed air ambulance service shall be issued a permit in one of the classifications set forth below.
 - a. Air Medical Rotor-Wing
 - b. Air Medical Rotor-Wing Specialty
 - c. Air Medical Fixed-Wing

B. General Standards

1. A vehicle may not be operated as an air ambulance prior to the application and receipt of a permit issued by the Department.
2. Permits shall be for a period not to exceed one (1) year.
3. Each licensee shall have a current Federal Aviation Administration (FAA) FAR Part 135 Air Carrier Certificate.
4. ~~Refueling with a patient aboard should be avoided. If fueling operations are necessary, the patient should be temporarily removed from the aircraft if his/her medical condition allows. If a patient is aboard, all fueling procedures must meet FAA Standards given in the Certificate Holder's Operation Manual. During refueling operations, fire control equipment must be in the immediate vicinity and manned.~~Refueling of an aircraft shall follow the FAA standards outlined in the certificate holder's operation manual.
5. Air ambulance services based outside of Arkansas that do hospital to hospital transports (including emergency scene flights and hospital to hospital transfers within the ~~S~~state of Arkansas) shall be subject to the requirements of these ~~regulations~~Rules, in conjunction with other state's applicable rules when appropriate.
6. Each air ambulance service shall have and maintain a coordination point, twenty-four (24) hours a day, seven (7) days a week.

7. Each air ~~ambulance rotor-wing aircraft~~ must have radio capability to communicate ~~air-to-air and~~ air-to-ground and the ability to communicate~~ions~~ with physicians who are responsible for directing patient care in transit, and with ground personnel who coordinate the transfer of the patient.
8. Each air ambulance shall contact the referring and receiving medical facilities or ground scene personnel, when within radio range, giving them the estimated time of arrival and when on final approach. Otherwise, the coordination point shall have this responsibility.
9. The following information shall be logged for all flights:
 - a. time the call was received
 - b. time the aircraft was dispatched
 - c. time the aircraft departed
 - d. name of party requesting the flight with verification telephone number
 - e. pertinent medical and logistical support information.
10. Each air ambulance operator must maintain, for seven (7) years, a patient encounter record for each patient flight. This record may be electronic or hard copy.~~of each air ambulance operation, including but not limited to the following:~~
 - ~~— Patient's name~~
 - a. ~~Date of flight~~
 - a. ~~Diagnosis~~
 - a. ~~Originating and terminating points, and patient's condition upon departure and arrival.~~
 - a. ~~An in-flight medical attendant's report of the patient's status, including vital signs, level of consciousness, drugs administered, and details of therapeutic intervention.~~
 - a. ~~Any circumstances encountered during flight, which affect patient care or transport time.~~
11. All ~~Aair A~~ambulance ~~Ss~~services must coordinate aircraft departures and arrivals with required surface transportation to avoid delays.
12. Each ~~Aair A~~ambulance ~~Ss~~service shall have a ~~Mm~~medical ~~Dd~~irector. This ~~Mm~~medical ~~Dd~~irector shall provide the Drug Enforcement Agency registration for the service. The ~~Mm~~medical ~~Dd~~irector shall ensure:
 - a. ~~ensure~~ that all ~~E~~MSP~~emergency Medical Services Personnel~~, for which direction is provided, are properly educated and licensed pursuant to these Rules. This includes skills verification.
 - ~~e.b.~~ ensure that each ~~E~~MSP~~emergency Medical Services Personnel~~, for which direction is provided, is following service protocols/guidelines.
 - ~~e.c.~~ ensure the licensed services, for which direction is provided is in

compliance with these Rules.

~~g.d.~~ review the Sservices written protocols/guidelines are reviewed annually and prior to implementation of any changes and review the duty readiness policy.

~~—determine the duty readiness of air ambulance personnel~~

13. Each Sservice shall maintain a register of legend drugs ~~to include type, quantity, date received, date of expiration and physician authorizing purchase and usage. See as outlined in~~ Section XIV. ~~E.~~
14. Each Sservice shall maintain a copy of the Department approved Medication Policy and Procedures which meets the requirements of the Arkansas Department of Health Pharmacy Services and Drug Control.
15. Each permitted aircraft shall keep a current copy of the services approved offline medical control protocols/guidelines in the aircraft at all times. These can be in print or electronic.
16. Quality Assurance Program for Licensed Ambulance Services

~~All licensed emergency medical services personnel shall conduct a quality assurance program. The quality assurance program shall evaluate patient care and personnel performance for compliance with the current standards of practice as set forth in the services medical protocols, regulations, and standards of Emergency Medical Services scope of practice. Reviews should be conducted at least quarterly, to assess, monitor, and evaluate the quality of patient care provided. Documentation for the quality assurance program and review shall include the following:~~

- a. The criteria used to select audited runs; Ambulance encounter form review;
- ~~e.b.~~ Problem identification and resolution;
- ~~e.c.~~ Investigation of complaints or incident reports;
- ~~g.d.~~ Date of review;
- ~~i.e.~~ Attendance at the review;
- ~~k.f.~~ A summary of the review discussion.

17. Any authorized representative of the Department shall have the right to enter the premises of any service or permitted ambulance at any time in order to make whatever inspection necessary in accordance with the minimum standards and ~~regulations~~ Rules prescribed herein. Each service shall maintain and make

available to the Department for inspection all patient encounter forms, records
~~including, but not limited to:~~

~~—Patient Care Records;~~

~~a. —Equipment checks;~~

~~a. —Personnel certifications, continuing education and credentialing;~~

~~a. —Policies and procedures~~

~~a. —Documents related to service licensure.~~

C. Specific Air Medical Service Standards

1. Each Air Medical Rotor-Wing and Air Medical Rotor-Wing Specialty ambulances shall ~~have~~:
 - a. provide twenty-four (24) hour emergency ambulance service coverage. ~~All services shall have a documented plan ensuring coverage within the Services service area at all times.~~
 - b. meet the two- minute reaction time with the exception of hazardous weather conditions that would preclude response.
 - c. have a minimum of one (1) incoming telephone line dedicated to emergency requests for the air ambulance service.
 - d. an Air Ambulance Communication Specialist that is an EMT (licensed / Certified by the State where the communications center is located, that is present in the communication center and actively involved in the communications process.
 - e. a communication center with the following:
 - 1) A system to record all communications pertaining to flight requests, incoming and outgoing telephone and radio transmissions pertaining to flight requests, dispatch, and following of aircraft. The system must have time-encoding and playback capabilities. Recordings shall be kept for a minimum of sixty (60) days.
 - 2) Maps of all areas where the service responds to scene flights. Maps shall be an Arkansas State Highway and Transportation Department General Highway Map for Counties or the equivalent and can be electronic or printed copy.
 - f. have personnel capable of plotting scene coordinates and directing the helicopter to a scene location, twenty-four (24) hours a day.

- g. ~~have~~ a policy addressing Post Accident/Incident Plan, ~~including the following situations:~~

- ~~0. Precautionary Landing—Medical~~
- ~~0. Precautionary Landing—Mechanical~~
- ~~0. Overdue/Missing Aircraft~~
- ~~0. Mayday/Post Crash~~

- n.h. ~~Each rotor-wing aircraft air ambulance service shall~~ arrange for flight following at least every fifteen (15) minutes. Documentation of such flight following must be maintained during all phases of flight. ~~The position report consists of:~~

- ~~—— Latitude~~
- ~~1. Longitude~~
- ~~1. Ground Speed~~
- ~~1. Heading~~

- ~~When the aircraft is unable to maintain direct radio contact with the base station, flight following must be maintained through alternative communications links such as:~~

- ~~0. Hospitals~~
- ~~0. FAA communication points~~
- ~~0. EMS agencies~~
- ~~0. Satellite Tracking~~

- 10.2. Each Air Medical Fixed-Wing ambulance shall have:

- a. ~~Aa~~ minimum of one (1) incoming telephone line dedicated to ~~emergency~~ requests for the air ambulance service.
- b. ~~Aan~~ ~~Aair~~ ~~Aambulance~~ ~~Ccommunication~~ ~~Sspecialist~~ assigned to receive all dispatch and flight request information on behalf of the air ambulance service.

SECTION VII. PERMITTING OF AIR AMBULANCE VEHICLES

A. Application

An application for the issuance or renewal of an air ambulance vehicle permit shall be made ~~on forms provided by~~ the Department.

B. Air Ambulance Vehicle General Standards

1. Air Ambulance Vehicles Shall:

- a. be configured to allow the air medical ambulance personnel to treat the patient including advanced life support procedures.
- ~~b. be equipped with doors that allow safe loading and unloading of the patient without rotating the patient more than 30 degrees about the longitudinal axis or 45 degrees about the lateral axis.~~
- ~~d. have supplies and equipment for the protection of personnel and patients from infectious diseases and for personal safety.~~
- ~~f. maintain the interior of the air ambulance in a manner that is safe, sanitary, and in good working order at all times.~~
- ~~h. have interior lighting in the patient compartment and must not interfere with the pilot's vision.~~
- ~~j. maintain all door latches both inside and outside of the aircraft shall be fully functional.~~
- l.b. ensure that all outdated, misbranded, adulterated or deteriorated fluids, supplies and medications are removed from an aircraft immediately.
- ~~m.c.~~ carry the minimum approved supplies and equipment for the level of licensure of the air ambulance. All equipment and supplies shall be clean, sanitary and in good working order.
*See Appendix 1
- ~~n. be equipped with survival gear applicable to the air ambulance service area and the number of occupants, eg. Patient(s).~~
- p.d. be properly climate controlled at a temperature range of 50° - 85°. ~~If air conditioning or heat is not available, a policy will address what type of patients cannot be transported during extreme temperatures as defined by the air ambulance service and what measures are taken to avoid adverse effects on patients and personnel on board.~~ All pharmaceuticals shall be kept within in the recommended temperature range as established by the manufacturer.
- ~~— ensure that the patient is isolated from the pilot to minimize in-flight distractions or interference that would affect flight safety.~~
- ~~q. have a two-way radio with the ability to communicate:~~

- ~~1) between the pilot and air ambulance personnel;~~
- ~~with physicians who are responsible for directing patient care in transit, and with ground personnel who coordinate the transfer of the patient.~~
- ~~2) air-to-air and air-to-ground;~~
- ~~2) in the Trauma System utilizing a Trauma AWIN radio or another suitable medium capable of real-time, direct communication with the ATCC.~~

~~q. have a process for rapid egress of air ambulance personnel.~~

~~q. not have litters or equipment impeding rapid egress by personnel or patients from the aircraft.~~

r.e. Each air ambulance service shall have in force and effect malpractice insurance coverage in the amount of no less than \$1,000,000 per occurrence and no less than \$3,000,000 aggregate for all air ~~ambulance~~ medical personnel. The service shall maintain proof of current insurance policy.

C. Air Ambulance Vehicle Specific Standards

1. Rotor-Wing and Rotor-Wing Specialty Vehicles Shall:

- a. have communication capabilities for 123.05 MHz, 155.340 MHz, 155.235 MHz, and 155.280 MHz radio frequencies.
- b. have a two-way radio with the ability to communicate:
 - 1) between the pilot and air medical personnel;
 - 2) with physicians who are responsible for directing patient care in transit, and with ground personnel who coordinate the transfer of the patient.
 - 3) air-to-air and air to ground; and
 - 4) in the trauma system utilizing a trauma AWIN radio or another suitable medium capable of real-time, direct communication with the ATCC.

2. Fixed-Wing Vehicles Shall:

- a. have communication capabilities for 123.05 MHz and other nationwide frequencies.
- b. have a two-way radio with the ability to communicate:
 - 1) between the pilot and air medical personnel;
 - 2) with physicians who are responsible for directing patient care in transit, and with ground personnel who coordinate the transfer of the patient and.
 - 3) air-to-air and air to ground; and

- 4) capable of real-time, direct communication with the ATCC when transporting trauma patients.

D. Air Ambulance Staffing Requirements

1. Air Medical Rotor-Wing

- a. All flights shall be staffed by a minimum of two (2) air ~~ambulance-medical~~ personnel one of who must be a flight nurse or physician. The physician may be the medical director or their designee who meets the appropriate air medical training requirement. The air ambulance service ~~M~~medical ~~D~~director may select other crew members at their discretion from the following: ~~P~~paramedic, ~~R~~respiratory ~~T~~therapist, RN or ~~P~~physician as long as the personnel meets the minimum training requirements.

2. Air Medical Rotor-Wing Specialty

- a. All flights shall be staffed by a minimum of two (2) air ~~ambulance-medical~~ personnel one of who must be a flight nurse or physician. The air ambulance service ~~M~~medical ~~D~~director may select other crew members at their discretion from the following: ~~P~~paramedic, ~~R~~respiratory ~~T~~therapist, RN or ~~P~~physician as long as the personnel meets the minimum training requirements.

3. Air Medical Fixed-Wing

- a. All flights shall be staffed by a minimum of one (1) medical crew member that shall be a licensed ~~EMSP~~~~emergency Medical Services personnel~~, critical care nurse, flight physician, or other appropriate medical personnel selected by the air ambulance service ~~M~~medical ~~D~~director. If a physician is on the flight, the minimum crew members shall be a flight nurse or paramedic. ~~The air ambulance service Medical Director may send any additional medical personnel at their discretion. If a fixed wing aircraft accepts an inter-facility transport the staffing, at minimum, shall be a registered nurse and paramedic; or if a fixed wing accepts an inter-facility specialty transport (i.e. pediatric, ECMO, OB, etc.) the staffing, at minimum, shall be a registered nurse and any other medical personnel deemed necessary by the Air Ambulance Service Medical Director.~~

E. Air ~~Ambulance-Medical~~ Personnel Training Requirements – Prehospital Air Medical Rotor-Wing (Non Physician Crew)

1. Minimum Orientation and Recurrent Training in the Following Areas:

- a. Prehospital Environment
 - 1) Will be covered by EMT licensure Requirement
- b. Air Medical Environment
 - 1) Aircraft Safety Issues to include as required by the FAA – Annual Recurrent Training, to include Crew Resource Management.
 - 2.) Air Medical Patient Transport Considerations (Preparation, Handling and Equipment)
 - 3) Altitude Physiology and Stressors of Flight – one (1) hour initially and annually.
 - 4) Day and Night Flying Protocols – To be included in FAA Annual Safety Inspection.
 - 5) EMS Communications (radios) and familiarization with EMS System – one (1) hour initially.
 - 6) Invasive Procedures (or Manikin Equivalent) for competency maintenance, four (4) intubations/year – recommended one (1) successful intubation/quarter.
 - 7) Quality Management – one (1) hour yearly.
- c. Preparatory (~~Mandatory~~ mandatory for both the RN/EMT and ~~Paramedic~~ paramedic)

Minimum Experience for Flight Nurses:

 - 1) Minimum of three (3) years current registered nursing experience in critical care and/or emergency nursing (~~i.e.g.~~ ICU, CVICU, ER, or CCU). If a RN has two (2) years of critical care and/or emergency nursing experience and three (3) years of EMS experience at the ~~P~~paramedic level they may be considered eligible for flight nurse status. or licensed practical nursing (LPN) experience in a critical care and/or emergency setting, they may be considered eligible for flight nurse status. A Paramedic with three (3) years of flight experience may be allowed to transition into the ~~F~~light ~~N~~nurse role provided that they successfully complete a program specific flight nurse orientation.

Minimum Experience for ~~P~~paramedics Conducting Air Ambulance Transport:

 - ~~+2~~ 2) Minimum of three (3) years² current paramedic experience with a paramedic ambulance service.
- d. Trauma

- 1) Disaster and Triage: ~~Two~~ (2) hours initially and annually.
- 2) Thermal, Chemical and Electrical: ~~Two~~ (2) hours initially and annually.

e. Certifications Required

- 1) Neonatal Resuscitation Program (NRP) or equivalent course
- 2) Pediatric Advanced Life Support (PALS) course or Pediatric Education for Prehospital Providers (PEPP) course or equivalent course
- 3) Advanced Cardiac Life Support (ACLS) or equivalent course
- 4) Prehospital Trauma Life Support (PHTLS), International Trauma Life Support (ITLS), Trauma Nurse Core Course (TNCC), or equivalent course.
- 5) FEMA ICS 100, 200, 700

F. Air ~~Ambulance~~-Medical Personnel Training Requirements – Prehospital Air Medical Rotor-Wing conducting specialty flights (High Risk Obstetrics and Neonatal Transports)

1. High Risk Obstetrical

a Basic Fetal Monitoring Class – four (4) hours initially, one (1) hour annually

b. The following didactic topics shall be covered annually:

- 1) Fetal Assessment
- 2) Triage and Assessment of the Pregnant Patient
- 3) Conditions Warranting Transport and Stabilization
- 4) Emergency Childbirth and Complications of Delivery
- 5) Placenta Previa and Placental Abruptio
- 6) Prolapsed Cord
- 7) Pre-Eclampsia
- 8) Post-Partum Hemorrhage
- 9) OB Trauma
- 10) Medications

c. Certifications Required

- 1) Advanced Cardiac Life Support (ACLS) or equivalent
- 2) Neonatal Resuscitation Program (NRP) or equivalent

2. Neonatal Transport

a. The following didactic topics shall be covered annually:

- 1) Maternal Physiologic and Pharmacologic Factors Affecting the

- Neonate
 - 2) Physical Examination
 - 3) Gestational Age Assessment
 - 4) Interpretation of Clinical, Laboratory, Radiographic and Other Diagnostic Data
 - 5) Thermoregulation
 - 6) Oxygen Monitoring
 - 7) Fluid and Electrolyte Therapy
 - 8) Pharmacology, including drug dose calculations
- b. Anatomy, Pathophysiology, Assessment and Treatment of:
- 1) Acute and Chronic Respiratory Diseases
 - 2) Cardiovascular (CV) Abnormalities
 - 3) Surgical Emergencies
 - 4) Infectious Diseases
 - 5) Musculoskeletal Abnormalities
 - 6) Neurological and Spinal Cord Injuries
 - 7) Prematurity and Post Maturity
 - 8) Hematologic Disorders
 - 9) Metabolic and Endocrine Disorders
 - 10) Disorders of the Head, Eyes, Nose and Throat
 - 11) Genetic Disorders, Congenital Heart Disease
 - 12) Psychosocial and Bereavement Support
 - 13) Mechanical Ventilation Techniques during Transport
- c. The following clinical areas shall be covered
- 1) Oxygen Administration
 - 2) Anesthesia Bag and Mask Ventilation
 - 3) Application of Nasal Continuous Positive Airway Pressure (CPAP)
 - 4) Endotracheal Intubation
 - 5) Ventilation and Inhaled
 - 6) Nitric Oxide if indicated
 - 7) IV and Intra-Arterial Access, which might include:
 - 8) Intraosseous Access
 - 9) Venipuncture for Lab Specimen Collection
 - 10) Cardiopulmonary Resuscitation (CPR)
 - 11) Hemorrhage Control
 - 12) Radiographic Interpretation
- d. Certifications Required
- 1) Neonatal Resuscitation Program (NRP) or equivalent

G. Air ~~Ambulance-Medical~~ Personnel Training Requirements – Air Medical Rotor-Wing Specialty

1. Minimum Orientation and Recurrent Training in the Following Areas:

a. Air Medical Environment

- 1) Aircraft Safety Issues to include as required by the FAA Annual Recurrent Training, to include Crew Resource Management.
- 2) Air Medical Patient Transport Considerations (Preparation, Handling and Equipment)
- 3) Altitude Physiology and Stressors of Flight – one (1) hour initially and annually.
- 4) Day and Night Flying Protocols – To be included in FAA Annual Safety Inspection.
- 5) EMS Communications (radios) and familiarization with EMS System – one (1) hour initially.
- 6) Invasive Procedures (or Manikin Equivalent) for competency maintenance, 4 intubations/year – recommended one (1) successful intubation/quarter.
- 7) Quality Management – one (1) hour yearly.
- 8) Stress Recognition and Management

b. Preparatory (*Mandatory for both the RN/EMT, Paramedic*)

Minimum Experience for Flight Nurses

- 1) Minimum of three (3) years current registered nursing experience in specialty care (i.e.g. Neonatal Intensive Care Unit, Intensive Care Unit Pediatric Intensive Care Unit, Labor & Delivery, etc.), emergency nursing or other as appropriate to the mission of the air ambulance service.

Minimum Experience for Paramedics

- 2) Minimum of three (3) years current paramedic experience with a paramedic ambulance service.

Minimum Training Requirements for Specialty Care Air ~~Ambulance-Medical~~ Personnel

- 3) Specialty Care ~~A~~air ~~Ambulance-medical~~ ~~P~~ersonnel must have appropriate state licensure or certification requirements by appropriate agencies or governing bodies and have relevant specialty experience as described by program policy. At minimum these personnel must have the following training as noted in Division I – Air Medical Environment.

H. Air ~~Ambulance-Medical~~ Personnel Training Requirements – Air Medical Fixed-Wing

1. Minimum Orientation and Recurrent Training in the following areas:
 - a. Air Medical Environment
 - 1) Aircraft Safety Issues to include and as required by the FAA – Annual Recurrent Training, to include Crew Resource Management.
 - 2) Air Medical Patient Transport Considerations (~~P~~reparation, ~~H~~andling and ~~E~~quipment)
 - 3) Altitude Physiology and Stressors of Flight – one (1) hour initially and annually.
 - b. Preparatory (~~M~~andatory for all ~~F~~ixed-~~W~~ing ~~M~~edical ~~Crew~~ ~~personnel~~Members) Minimum Experience for RN on a Fixed-~~W~~ing
 - 1) Minimum of two (2) years current ~~registered nursing~~RN experience in critical care and/or emergency nursing (~~i.e.g.~~ ICU, CVICU, ER, or CCU). For specialty transports, a RN must have a minimum of two (2) years current registered nursing experience in the specialty of the patient being transported.

Minimum Experience for Paramedics ~~e~~Conducting Fixed-~~W~~ing Transport

 - 1) Minimum of two (2) years² current paramedic experience with a paramedic ambulance service.

Minimum Experience for Specialty Care Fixed-~~W~~ing Personnel

 - 1) Specialty ~~C~~are ~~F~~ixed-~~W~~ing ~~P~~ersonnel must have appropriate state license or certification requirements by appropriate agencies or governing bodies and have relevant specialty experience as described by program policy. At minimum these personnel must have the following training as noted in Air Medical Environment.
 - c. Certifications Required
 - 1) Advanced Cardiac Life Support (ACLS) or equivalent course
 - 2) Pediatric Advanced Life Support (PALS) course or Pediatric Education for Prehospital Providers (PEPP) course or equivalent course if transporting pediatric patients
 - 3) Neonatal Resuscitation Program (NRP) or equivalent course if transporting neonatal patients.

I. Air ~~Ambulance~~Medical Personnel Training Requirements for Air Medical Rotor-Wing Air Ambulance Communication Specialists

1. Minimum Initial and Recurrent Training in the Following Areas:

- a. Medical Terminology
 - b. Knowledge of EMS
 - c. Familiarization with equipment used in the field setting
 - d. FAR's pertinent to the medical transport service
 - e. FCC regulations pertinent to the medical transport service
 - f. General safety rules and emergency procedures pertinent to air medical transport service
 - g. Map Skills including – ability to locate an aircraft utilizing coordinates
 - h. Ability to articulate weather radar information to pilots
 - i. Types of radio frequency bands used in air medical EMS
 - j. Assistance with hazardous materials response and recognition procedure using appropriate reference materials
 - k. Stress recognition and management
 - l. Customer service/public relations/phone etiquette
 - m. Quality Management
 - n. Crew Resource Management (CRM) pertinent to communications
 - o. Computer literacy and software training
 - p. Post-Accident Incident Plan (PAIP)
 - J. Documentation for Recurrent Training
2. Documentation showing completion of all recurrent training as outlined in Section VII. E. ~~1.~~~~I~~ and shall be submitted to the Department annually with the ~~A~~air ~~A~~ambulance ~~S~~service license renewal for all licensed EMT and ~~C~~ommunication ~~S~~specialists.

SECTION VIII. APPROVED EMERGENCY MEDICAL SERVICES PERSONNEL SKILLS

- A. Paramedics and ~~A~~EMT's~~dvanced~~ EMTs may function within their ~~S~~scope of ~~P~~practice while off duty or while not staffing a permitted ambulance within the service area of the ambulance service with whom the EMSP is employed full time.
 1. The following must be submitted to the ~~Section~~ Department for review and approval prior to implementation of this practice:
 - a. Written approval from the ambulance service ~~M~~medical ~~D~~director.
 - b. Written approval from ambulance service ~~M~~anager/~~D~~director.
 - c. Verification that the individual(s) are licensed by the ~~Section~~ Department to perform the skills requested.
 - d. Submit ~~M~~medical ~~D~~director approved treatment protocols addressing this specific practice and any equipment carried by the EMSP.
 - e. In all cases, where advanced care is initiated and transport is required, advanced care must be maintained enroute to the hospital in a ~~P~~paramedic

or ~~Advanced~~-EMT permitted ambulance.

* Advanced life support equipment cannot be stored on a licensed EMT ambulance.

2. An ~~AEMT~~~~Advanced EMT~~ or ~~P~~paramedic who is solely employed in industry and serves on the facility's emergency response team, or an emergency response team affiliated with or sponsored by a governmental entity, can, while on duty, perform any skill which is listed in their approved protocols/guidelines as long as they meet ALL of the following requirements:

- a. Written approval from the team's ~~M~~medical ~~D~~irector and submitted to the Department for review.
- b. Written approval is received from the team's manager/director and submitted to the Department for review and approval.
- c. Submit ~~M~~medical ~~D~~irector approved protocols/guidelines specific to this practice to the Department prior to implementation of program.
- d. Verification that the Individual(s) are licensed by the Department to perform the skills
- e. Individual's performance is not tied to a licensed ambulance service at the time they are performing skills for the response team

g.f. In all cases, where advanced care is initiated, advanced care must be maintained on scene and enroute to the hospital in a ~~P~~paramedic or ~~Advanced~~-EMT permitted ambulance.

- B. ~~EMSP~~~~Emergency Medical Services Personnel~~ are permitted to perform only those skills and administer only those medications outlined in the EMSPs National Scope of Practice once they are trained in the skill or pharmacology of that medication, and credentialed by the EMS ~~agency-service's~~ ~~M~~medical ~~D~~irector. In order to provide patient care in Arkansas, all EMSP's must hold a current Arkansas EMSP license.

ALS Services approved to provide

~~— Procedures and skills for all EMSP licensure levels~~

- ~~— Simple and comprehensive patient assessments~~
- ~~— Manual maneuvers to open and control the airway~~
- ~~— Manual maneuvers to remove an airway obstruction~~
- ~~— Oxygen administration~~
- ~~— Insertion of basic airway adjuncts (Oral and Nasal)~~
- ~~— Bag valve mask (BVM) ventilation~~
- ~~— Upper airway suctioning~~
- ~~— Manual external CPR~~

- ~~a. — Use of an Automated External Defibrillator (AED)/Monitors~~
- ~~— Use of mechanical CPR assist devices~~
- ~~b. — Assist in the normal and complicated delivery of a newborn~~
- ~~b. — Manual cervical stabilization and cervical collar use~~
- ~~b. — Manual stabilization of orthopedic trauma~~
- ~~b. — Spinal motion restriction (KED, Long board, etc)~~
- ~~b. — Splinting~~
- ~~b. — Mechanical patient restraint~~
- ~~b. — Bleeding control including tourniquet~~
- ~~b. — Eye irrigation~~
- ~~b. — Management of soft-tissue injuries~~
- ~~b. — Emergency moves and extrication~~
- ~~b. — Parenteral administration of epinephrine for anaphylaxis (EMTs may only administer epinephrine via an auto-injector)~~
- ~~b. — Inhaled (nebulized) medications to patients with difficulty breathing and/or wheezing (EMTs may only administer pre-measured unit doses of nebulized medications)~~
- ~~b. — Assisting a patient in administering his/her own prescribed medications via buccal and oral routes, including auto-injectors~~
- ~~b. — Aspirin (ASA) for chest pain~~
- ~~b. — Blood glucose monitoring and administration of oral glucose~~
- ~~b. — Pulse oximetry~~
- ~~aa. — Manual and auto blood pressure~~

1. The following are procedures and skills for **ONLY** Advanced EMTs and Paramedics

- ~~b. — Tracheobronchial suctioning~~
- ~~b. — CPAP/BiPAP administration and management~~
- ~~b. — Esophageal-tracheal and multilumen airways~~
- ~~b. — Obtaining peripheral venous blood specimens~~
- ~~b. — Peripheral IV insertion and maintenance (includes removal as needed)~~
- ~~b. — Intraosseous device insertion (includes removal as needed)~~
- ~~b. — Crystalloid IV solutions~~
- ~~b. — Administration of hypertonic dextrose solutions for hypoglycemia~~
- ~~b. — Administration of glucagon for hypoglycemia~~
- ~~b. — Administration of Sub-Lingual (SL) nitroglycerine to a patient experiencing chest pain or of suspected ischemic origin~~
- ~~b. — Administration of a narcotic antagonist to a patient suspected of narcotic overdose~~
- ~~b. — SQ or IM epinephrine for anaphylaxis~~
- ~~b. — Medication administration in the following routes, Aerosolized, Subcutaneous, Intramuscular, Nebulized, Sublingual, Intranasal, IV push (D₅₀W and narcotic-antagonist only)~~
- ~~b. — Nitrous oxide for pain relief~~
- ~~b. — Manually triggered and automatic transport ventilators~~

~~—The following are procedures and skills for ONLY Paramedics~~

- ~~. —BIAD (Blind Insertion Airway Device) Insertion~~
- ~~. —Endotracheal intubation (Nasal and oral)~~
- ~~. —Delivery of PEEP~~
- ~~. —Airway obstruction removal by direct laryngoscopy~~
- ~~. —Cricothyrotomy~~
- ~~. —Gastric decompression~~
- ~~. —Pleural decompression via needle thoracostomy~~
- ~~. —Chest tube monitoring~~
- ~~. —Blood Chemistry Analysis~~
- ~~. —ETCO₂/Capnography~~
- ~~. —NG/OG tube~~
- ~~. —Transurethral Catheters~~
- ~~. —Access indwelling catheters and implanted central IV ports~~
- ~~. —Central line monitoring~~
- ~~. —ECG monitoring and interpretation including 12 lead~~
- ~~. —Manual cardiac defibrillation~~
- ~~. —Emergency cardioversion, including carotid massage~~
- ~~. —Transcutaneous cardiac pacing~~
- ~~. —Chemical restraint of combative patients~~

~~PRapid Sequence Induction (RSI) must first~~aralytic administration—Administration of paralytics for the purposes of RSI **Rapid Sequence Induction/Intubation is not permitted unless the EMS Agency has met all RSI requirements and has received approval for RSI use~~and be approved from by~~ the Department. ~~PP~~aramedics are allowed to use paralytics to maintain the paralysis of an already intubated patient, if approved by medical direction.

- ~~. —Maintain an infusion of blood or blood products~~
- ~~. —Administration of other physician approved medications, routes to include endotracheal, IV (push and infusion), NG, Rectal, IO, Topical, SQ~~
- ~~. —Thrombolytic initiation (if approved by medical direction)~~

SECTION IX. EDUCATION, TESTING AND LICENSURE OF MEDICAL PERSONNEL

A. The Department shall license or certify individuals for the provision of Emergency Medical Services

1. The Department shall issue the following types of licenses or certifications:

- a. Advanced Life Support
 - 1) Paramedic
 - 2) Community Paramedic
 - 3) Advanced Emergency Medical Technician (AEMT)

- b. Basic Life Support
 - 1) Emergency Medical Technician
- c. Instructor
 - 1) Emergency Medical Services-Instructor
 - 2) Emergency Medical Services-Instructor Trainer
- d. Emergency Vehicle Operator

2. Fees

An application for the initial issuance of a license shall be ~~made on forms provided by~~ submitted to the Department, and shall be accompanied by a ~~\$20~~ the fee set forth by Arkansas Code Ann. § 20-13-211. An application for the emergency vehicle operator (EVO) certification and community paramedic licensure shall be submitted to the Department with the application fee waived.

3. Certification and Licensure Cards

Each EMSP shall have the Arkansas EMSP licensure card issued by the Department on their person at all times while on duty or have the ability to contact their EMS service for licensure verification.

~~a. All paramedics shall maintain ACLS certification throughout their licensure period.~~ All licensure levels, ~~except EVO's~~, shall maintain the following during their
license period:

- 1) ~~Current CPR certification during their license period.~~
- 2) maintain a National Registry of Emergency Medical Technician (NREMT) certification for the level in which they are licensed.

~~b. All paramedics and community paramedics shall maintain the following throughout their licensure period.:~~

- 1) Current ACLS certification

Each Service shall have readily available a copy of all current licensure and certification cards for all employees.

4. Criminal History Form

Any applicant applying for initial licensure or emergency vehicle operator certification shall complete a ~~S~~ state and/or ~~F~~ federal criminal history check.

5. Paramedic

- a. Successful completion of an Arkansas and Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and Committee on Allied Health Education and Accreditation (CAHEA) accredited ~~P~~paramedic program including all didactic, clinical and field internship requirements, ~~and~~
- b. Successful completion of the ~~NREMTational Registry of EMT's~~ ~~P~~paramedic certification process.

6. Community Paramedic

- a. Successful completion of a ~~state-Department~~ approved ~~C~~community ~~P~~paramedic ~~C~~curriculum ~~such as the North Central EMS Institute, Community Paramedic Curriculum.~~
- ~~b. Successful completion of a state approved National Certification Exam, such as the Certified Community Paramedic (CP-C) by the Board for Critical Care Transport Certification (BCCTPC).~~
- ~~e.b.~~ Hold NREMT certification as a paramedic and be in good standing with the NREMT.
- ~~d.c.~~ Hold an Arkansas license as a paramedic and be in good standing with the Department.
- ~~e.d.~~ Have ~~two (2)~~ years of fulltime service as a paramedic and be actively employed by a licensed paramedic service. Potential licensees shall submit a letter from a licensed paramedic service indicating a minimum of 1000 hours worked per year for ~~two (2)~~ years and confirming that they are actively employed by that service.

~~9.7.~~ Advanced Emergency Medical Technician

- a. Successful completion of an Arkansas accredited Advanced Emergency Medical Technician program including all didactic, clinical and field internship requirements, and
- b. Successful completion of the ~~NREMTational Registry of EMT's~~ ~~A~~~~EMT~~~~dvanced EMT~~ certification process.

~~10.8.~~ Emergency Medical Technician

- a. Successful completion of an Arkansas accredited EMT program including all didactic, clinical and field internship requirements, ~~and~~
- b. Successful completion of both the Arkansas practical skills examination and the ~~NREMTational Registry~~ certification process.

11.9. Emergency Medical Services Provider Instructor

- a. Hold an Arkansas EMSP license and be in good standing with the Department.
- b. Licensed as an EMSP continuously from any state, national or military for a minimum of two (2) years
- c. Successful completion of an approved forty (40) hour EMSP instructor course with a current affiliation with an educational institution (Vo-Tech School, Technical College, Community College, College or University) or licensed ambulance service training department.
- d. Copy of a current ~~Healthcare Provider~~Basic Life Support CPR instructor card.
- e. Copy of a current American Heart Association ACLS instructor card for EMSP paramedic instructors only.

12.10. Emergency Vehicle Operator

- a. Successful completion of a National recognized First Responder Course of a minimum of forty (40) hours of training.
- b. Copy of a current signed ~~Healthcare Provider~~Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) documenting completion of a CPR course designed specifically for healthcare providers.
- c. Emergency Vehicle Operator Course
- d. Ten (10) hours of refresher training every two years to include emergency vehicle operations.

C.B. General Licensure Renewal Standards

One (1) Continuing Education (CE) Hour is defined as every fifty (50) minutes of approved classroom or skills laboratory activities, ~~each hour of structured clinical or field experience when monitored by a preceptor assigned by an EMS training program, EMS service personnel, hospital or alternate base station approved according to the Department~~

or each hour of media based/serial production. Continuing Education courses or activities shall not be approved or accepted for less than one half hour of credit. CE hours shall not be awarded until all requirements have been met and the EMSP attended the complete training. Credit can be applied for college courses that relate to your role as an EMS professional (~~Reference the NCCP manual on the Arkansas Department of Health and National Registry of EMT's website for details~~). Hour-for-hour credit can be applied for nationally standardized courses (including, but not limited to, ABLS, ACLS, AMLS, EMPACT, EPC, ITLS, PHTLS, PALS, PEPP, etc.) The following **cannot** be applied towards the National Continued Competency Program Topic Hours (NCCR, LCCR and ICCR):

- a. Performance of duty or volunteer time with agencies
- ~~b. Clinical rotations~~
- ~~c. Instructor methodology courses~~
- ~~d. Management/leadership courses~~
- ~~e. Preceptor hours~~
- ~~Serving as a skills examiner~~

C. 2. Application and Recertification Audits

Initial and renewal ~~Relicensure~~ applications are randomly selected for audit. If a licensee's EMSP's application is randomly selected, the licensee EMSP must provide documentation for all hours used for their ~~relicensure~~ renewal, or information included on their initial application within fifteen (15) business days from notification. Documentation may consist of course completion certificates, training rosters, written verification from the training officer, or other proof as approved by the Department.

D. 3. Renewal Standards

1. All individuals applying for renewal of a license or emergency vehicle operator certification shall submit the following to the Department:
 - a. Completed ~~Arkansas renewal A~~ application ~~Form~~.
 - b. Application fee set forth by current EMS statute payable to the Arkansas Department of Health. Not applicable for emergency vehicle operators or community paramedic licensure.
 - c. Copy of a current ~~signed Healthcare Provider~~ Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) documenting completion of a CPR course designed specifically for healthcare providers.

- d. Document completion of all education requirements for your level of licensure or certification. It is the responsibility of the licensee-EMSP to maintain copies of all rosters, certificates, and/or proof of attendance to all continuing education used for relicensure renewal. These documents will be required should the licensee-EMSP be audited.

2. Specific Renewal Requirements by EMS Level

a. Emergency Medical Technician

- 1) Continuing education hours needed ed to meet the NREMT requirements are outlined below. Licensee must complete all requirements in a-c. The following method of licensure renewal will only be accepted until March 31, 2017.

~~A formal (24) hour EMT Transition/Refresher course based on the current EMS Education Standards including an end-of-course cognitive and psychomotor examination, verified by an approved education program. Must include a minimum of 2 hours pediatric specific education.~~

~~OR~~

~~Forty eight (48) hours of Continuing Education Units with a minimum of three (3) areas, maximum of sixteen (16) hours per topic area. Maximum of twelve (12) hours of internet based education. Must include a minimum of 2 hours pediatric specific education.~~

The following two (2) methods may be used to meet the March 2017 renewal requirements and will be required for all renewals starting March 31, 2018

Method #1

~~Submit a copy of your current National Registry of Emergency Medical Technicians certification card prior to your state license expiration date.~~

~~No license shall be issued until current National Registry certification can be verified.~~

- a. Twenty (20) hours following the topics listed in the National Registry of EMT's, National Continued Competency Program: EMT Education Guidelines published in 2015.

~~Up to 7 hours in this category can be Distributive Education. (This document can be located on the Arkansas Department of Health website)-required for National Certification. Up to seven (7) hours in this category can be distributive education.~~

b. ~~Ten (10) hours in the following topic areas (Up to seven (7) hours in this category can be Distributive Education.)~~

- ~~i. Trauma (4 hours total with 2 hours being specific to the Arkansas Trauma System) - Two (2) hours~~
- ~~ii. Pediatric - Two (2) hours (4 hours)~~
- ~~iii. Stroke/CVA - Two (2) hours (2 hours)-~~
- ~~iv. Cardiology - Two (2) hours~~
- ~~v. Documentation - One (1) hour~~
- ~~iii-vi. Ethics and Professionalism - One (1) hour~~

c. ~~Ten (10) hours in any EMS related topic areas. (Up to ten (10) hours in this category can be Distributive Education.)~~

2) NREMT certification and verification is required.

EMTs who are nationally certified, may submit a copy of their current NREMT certification card prior to their state license expiration date to obtain state EMT license.

EMTs who have never held national certification shall document completion of all education requirements outlined in 1) a.-c. above prior to their state license expiration date to obtain state EMT license.

Or

Method #2

~~If not currently certified by the National Registry of Emergency Medical Technicians, licensee shall submit 40 hours of continuing education as outlined below in a-c. Licensee may use a course only once toward the total number of hours required in each of the following topic areas. Licensee must complete all requirements in a-c.~~

- ~~a. 20 hours following the Topics listed in the National Registry of EMT's, National Continued Competency Program: EMT Education Guidelines published in 2015.~~
- ~~Up to 7 hours in this category can be Distributive Education.~~
- ~~(This document can be located on the Arkansas Department of Health website)-~~

~~b. 10 hours in the following topic areas (Up to 7 hours in this category can be Distributive Education~~

~~— Trauma (4 hours total with 2 hours being specific to the Arkansas Trauma System)~~

~~i. Pediatric (4 hours)~~

~~i. Stroke (2 hours)~~

~~e. 10 hours in any EMS related topic area (Up to 10 hours in this category can be Distributive Education)~~

b. ~~Advanced~~ EMT

1) Continuing education hours needed to meet the NREMT requirements are outlined below. Licensee must complete all requirements in a-c. **The following method of licensure renewal will only be accepted until March 31, 2017.**

a. Medical Director Signature on renewal application verifying competency in Advanced EMT psychomotor skills.

~~1) b. A formal thirty-six (36) hour Advanced EMT Transition Course based on the current EMS Education Standards, including an end-of-course cognitive and psychomotor examination, verified by letter from an approved EMS Education Program and;~~

e. Thirty-Six (36) hours of Continuing Education with a minimum of three (3) areas, maximum of sixteen (16) hours per topic area. Maximum of twelve (12) hours for internet based education. Must include a minimum of 4 hours' pediatric-specific education.

~~1) **The following two (2) methods may be used to meet the March 2017 renewal requirements and will be required for all renewals starting March 31, 2018**~~

Method #1

~~Submit a copy of your current National Registry of Emergency Medical Technicians certification card prior to your state license expiration date. No license shall be issued until current National Registry certification can be verified. Continuing education hours needed to meet the NREMT requirements are outlined below. Licensee must complete all requirements in a-d.~~

~~a. Twenty-five (25)0 hours following the topics required for National Certification. Up to eight (8) hours in this category can be distributive education. Topics listed in the National Registry of EMT's, National Continued Competency~~

~~—Program: EMT Education Guidelines published in 2015.~~
~~—Up to 8 hours in this category can be Distributive~~
~~—Education. (This document can be located on the Arkansas~~
~~Department of Health website)~~

~~b. 5 hours of Advanced Life Support (ALS) EMS-related education.~~

~~be. Twelve and one-half (12.5) hours in the following topic areas. Up to eight (8) hours in this category can be Distributive Education.~~

- ~~i. Arkansas Trauma System - (4Two (2) hours total with 2 hours being specific to the Arkansas Trauma System)~~
- ~~ii. Pediatric - Two and one-half hours (2.5) (5 hours)~~
- ~~iii. Stroke/CVA - Two (2) hours (3.5 hours)~~
- ~~iv. Cardiology - Two (2) hours~~
- ~~v. Documentation - Two (2) hours~~
- ~~iii-vi. Ethics and Professionalism - Two (2) hours~~

~~cd. Twelve and one-half (12.5) CE hours in any EMS related topic area. Up to Twelve and one-half (12.5) hours in this category can be Distributive Education.~~

Or

Method #2

~~If not currently certified by the National Registry of Emergency Medical Technicians, licensee shall submit 50 hours of continuing education as outlined below in a d. Licensee may use a course only once toward the total number of hours required in each of the following topic areas. Licensee must complete all requirements in a d.~~

- ~~a. 20 hours following the Topics listed in the National Registry of EMT's, National Continued Competency—Program: EMT Education Guidelines published in 2015.~~
~~—Up to 8 hours in this category can be Distributive Education.~~
~~—(This document can be located on the Arkansas Department of Health website)~~

~~b. 5 hours of Advanced Life Support (ALS) EMS-related education.~~

~~e. 12.5 hours in the following topic areas. Up to 8 hours in this category can be Distributive Education.~~

- ~~—Trauma (4 hours total with 2 hours being specific to~~

- the Arkansas Trauma System)
- Pediatric (5 hours)
- v. — Stroke/CVA (3.5 hours)

d. 12.5 CE hours in any EMS related topic area. Up to 12.5 hours in this category can be Distributive Education.

- 2) NREMT certification and verification is required. AEMTs who are nationally certified, may submit a copy of their current NREMT certification card prior to their state license expiration date to obtain state AEMT license.

AEMTs who have never held national certification shall document completion of all education requirements outlined in 1) a.-c. above prior to their state license expiration date to obtain state AEMT license.

- 3) Medical director's electronic signature on the renewal application verifying competency in AEMT skills

c. Paramedic

- 1) Continuing education hours needed to meet the NREMT requirements are outlined below. Licensee must complete all requirements in a.-c. — The following method of licensure renewal will only be accepted until March 31, 2017.

— Submit a signed copy (front and back) of your current American Heart Association ACLS Provider card.

b. Medical Director Signature on renewal application verifying competency in paramedic psychomotor skills.

In addition to the above, complete and document one of the following:

A formal (48) hour Paramedic Transition Program based on the EMS Education Standards, including an end-of-course cognitive and psychomotor examination, verified by letter from an approved EMS Education Program and twenty-four (24) hours of Continuing Education units with a minimum of three (3) areas, maximum of sixteen (16) hours per area. Maximum of twelve (12) hours for internet based education. Must include a minimum of 4 hours pediatric specific education.

Or

Seventy-two (72) hours of Continuing Education units with a minimum of three (3) areas, maximum of sixteen (16) hours per

~~topic area. Forty-eight (48) hours must follow the guidelines pertaining to Paramedic Continuing Education requirements. Maximum of twelve (12) hours for internet based education. Must include a minimum of 4 hours pediatric specific education.~~

Or

~~Twenty Four (24) hours with documentation of skills competency from the Services Medical Director or their designee and recertify with the NREMT by challenging and passing the NREMT Paramedic cognitive exam ACLS, PALS will not count toward the 24 hours of Advanced CEU's. If choosing this method, each paramedic shall provide documentation from the National Registry that recertification was accomplished by exam. Continuing Education hours must include a minimum of 4 hours' pediatric specific education.~~

2) The following two (2) methods may be used to meet the March 2017 renewal requirements and will be required for all renewals starting March 31, 2018

Method #1

~~Submit a copy of your current National Registry of Emergency Medical Technicians certification card prior to your state license expiration date. No license shall be issued until current National Registry certification can be verified. Continuing education hours needed to meet the NREMT requirements are outlined below. Licensee must complete all requirements in a-c.~~

- a. Thirty (30) hours following the Topics required for National Certification listed in the National Registry of EMT's, National Continued Competency Program: Paramedic Education Guidelines published in 2015. Up to ten (10) hours in this category can be Distributive Education. (This document can be located on the Arkansas Department of Health website)
- b. Fifteen (15) hours in the following topic areas. Up to ten (10) hours in this category can be Distributive Education.:
 - i. Arkansas Trauma System - Two (5 hours total with 2) hours being specific to the Arkansas Trauma System)
 - ii. Pediatric – Three (63) hours)
 - iii. Stroke/CVA - Four (24) hours)
 - iv. Cardiac Cardiology - (2) hours)
 - v. Documentation – Two (2) hours

iv.vi. Ethics and Professionalism – Two (2) hours

- c. Fifteen (15) hours in any EMS related topic area. Up to fifteen (15) hours in this category can be Distributive Education.

- 2) NREMT certification and verification is required. Paramedics who are nationally certified, may submit a copy of their current NREMT certification card prior to their state license expiration date to obtain state paramedic license.

Paramedics who have never held national certification shall document completion of all education requirements outlined in 1) a.-c. above prior to their state license expiration date to obtain state paramedic license.

- 3) Medical director's electronic signature on the renewal application verifying competency in advanced paramedic skills.
- 4) Copy of current American Heart Association ACLS card.

OR

Method #2

If not currently certified by the National Registry of Emergency Medical Technicians, licensee shall submit 60 hours of continuing education as outlined below in a-c. Licensee may use a course only once toward the total number of hours required in each of the following topic areas. Licensee must complete all requirements in a-c.

- a. 30 hours following the Topics listed in the National Registry of EMT's, National Continued Competency Program: Paramedic Education Guidelines published in 2015. Up to 10 hours in this category can be Distributive Education. (This document can be located on the Arkansas Department of Health website)
- b. 15 hours in the following topic areas. Up to 10 hours in this category can be Distributive Education.:
- Trauma (5 hours total with 2 hours being specific to the Arkansas Trauma System)
 - i. Pediatric (6 hours)
 - i. Stroke (2 hours)
 - i. Cardiac (2 hours)

~~e. 15 hours in any EMS related topic area. Up to 15 hours in this category can be Distributive Education.~~

4. d. Community Paramedic

- ~~1) Submit a signed copy (front and back) of your current American Heart Association ACLS Provider card~~
- ~~2)1) Submit a copy of your current National Registry of Emergency Medical Technicians NREMT certification card prior to your license expiration date. No license shall be issued until current National Registry certification can be verified.~~
- ~~3)2) Complete an additional fifteen (15) hours of practice focused training beyond the licensure renewal requirements as a paramedic; and~~
- ~~3) Submit documentation from the Community Paramedic programs Medical Director affirming that the licensee is active in performing the skills of a Community Paramedic.~~
- ~~Copy of your current National Certification as a Community Paramedic~~
- ~~5) Copy of your current State license~~

e. Emergency Vehicle Operator

- 1) Submit a copy of current Healthcare Provider Basic Life Support CPR card
- 2) Ten (10) hours of refresher training every two years to include emergency vehicle operations

4.3. EMSP – Instructor Renewal Requirements:

EMSP ~~I~~nstructor licensure is for a two (2) year period to run concurrently with the current EMSP level of licensure.

The following must be completed and submitted for ALL Instructors:

a. ~~Arkansas Application Form~~

e.a. Signed A copy of a current Healthcare Provider Basic Life Support CPR instructor card (Must follow current American Heart Association Guidelines and require a hands on skills component)

- ~~d.b.~~ Paramedics instructors shall maintain and submit current American Heart Association ACLS instructor certification.
- ~~e.c.~~ Complete ~~eight~~ twelve (12) hours of ~~C~~ontinuing ~~E~~ducation at the EMSP Instructor level, to include Professional Development or instructor specific education.
- ~~f.d.~~ Meet the re~~newal~~licensure requirements for your level of licensure (EMT, A~~EMT~~dvanced EMT, or ~~P~~paramedic)
- ~~g.e.~~ Complete and provide documentation from the EMS Education Program for (1) one of the following:
 - 1) One (1) full EMT course teaching more than 50% of the course (Must be affiliated with an educational institution)
 - 2) Two (2) EMT courses as co-instructor (Must be affiliated with an educational institution)
 - 3) Forty-eight (48) hours of classroom instruction with a letter from the lead instructor or EMS ~~E~~ducation ~~P~~rogram verifying hours and topics of instruction taught.
- ~~h.f.~~ Submit a signed letter of good standing from the ~~T~~training ~~S~~ite in which your EMSP instructor certification is aligned with.

~~5.4.~~ EMSP re~~newal~~licensure applications submitted after expiration date

- a. ~~Renewal~~licensure will be allowed for those who submit their documentation after the expiration date, IF:
 - 1) All required educational hours, as outlined in Section IX. C. for the appropriate license level, were completed PRIOR to their current expiration date;
 - 2) All specific training (~~i.e.~~e.g., Refresher, ACLS, CPR, etc.) was completed PRIOR to their current expiration date; AND
 - 3) All documentation was submitted no later than two (2) years after their current expiration date
- b. EMSP's submitting their re~~licensure~~renewal material after the expiration date, but having completed all requirements prior to their current expiration date will be relicensed to their previous expected expiration date.

No EMSP may provide patient care until a license has been issued.

Individuals who do not complete their educational and training requirements for ~~renewal~~licensure prior to their expiration date will be considered lapsed and will have to complete the following requirements for their licensure level prior to receiving their new licensure card.

No EMSP that is lapsed shall provide patient care until a license has been issued:

1. EMT

a. LAPSED TWO (2) YEARS OR LESS:

- 1) Document successful completion of required educational hours, as outlined in Section IX. C. for the appropriate license level within the previous ~~twelve~~ (12) months;
- 2) Documentation of an additional ~~twelve~~ (12) hours of continuing education within the past ~~twelve~~ (12) months.
- 3) Copy of a current ~~signed Healthcare Provider~~Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands--on skills component) documenting completion of a CPR course designed specifically for healthcare providers
- 4) Submit completed Arkansas application form.
- 5) \$20 Application fee set forth by Arkansas Code Ann. § 20-13-211 payable to the Arkansas Department of Health.
- 6) Validation of competency on all EMT psychomotor skills by an accredited EMS training program or EMS medical directors~~successfully challenge the Arkansas EMT psychomotor skills exam.~~

2. ~~Advanced~~ EMT

a. LAPSED TWO (2) YEARS OR LESS:

- 1) Document successful completion of all required educational hours, as outlined in Section IX. C. for the appropriate license level within the previous ~~twelve~~ (12) months.
- 2) Documentation of an additional ~~twenty-four~~ (24) hours advanced continuing education within the past ~~twelve~~ (12) months.
- 3) Copy of current ~~signed Healthcare Provider~~Basic Life Support CPR

card (Must follow current American Heart Association Guidelines and require a hands-on skills component) documenting completion of a CPR course designed specifically for healthcare providers

- 4) Submit completed Arkansas application form
- 5) \$20 Application fee set forth by Arkansas Code Ann. § 20-13-211 payable to the Arkansas Department of Health.
- 6) Validation of competency on all AEMT psychomotor skills by an accredited EMS training program, EMS ~~M~~medical ~~D~~irector or successfully challenge the ~~NREMTational Registry of EMT's~~ psychomotor exam.

3. Paramedic

a. LAPSED TWO (2) YEARS OR LESS:

- 1) Document successful completion of all required educational hours, as outlined in Section IX. C. for the appropriate license level within the past twelve (12) months.;
- 2) Documentation of an additional twenty-four (24) hours advanced continuing education within the past twelve (12) months
- 3) Copy of a current ~~signed~~ CPR card (Must follow current American Heart Association Guidelines and require a hands-on skills component) documenting completion of a CPR course designed specifically for healthcare providers.
- 4) Submit a signed copy of current American Heart Association ACLS card.
- 5) Submit completed Arkansas application form;
- 6) \$20 Application fee set forth by Arkansas Code Ann. § 20-13-20-13-211 payable to the Arkansas Department Health.
- 7) Validation of competency on all ~~P~~paramedic psychomotor skills by an accredited EMS training program, EMS ~~M~~medical ~~D~~irector or challenge the ~~NREMTational Registry of EMT's~~ psychomotor exam.

4. Community Paramedic

a. LAPSED TWO (2) YEARS OR LESS

- 1) Meet all renewal requirements set forth under ~~SECTION-Section IX. EDUCATION, TESTING AND LICENSURE OF PERSONNEL~~
~~Section 3.~~

- 2) Documentation of the additional fifteen (15) hours of practice focused training beyond the ~~renewal~~licensure requirements as a paramedic; and
- 3) Submit documentation from the ~~C~~community ~~P~~paramedic programs ~~M~~medical ~~D~~director affirming that the licensee is active in performing the skills of a ~~C~~community ~~P~~paramedic.
- ~~4) Copy of your current National Certification as a Community Paramedic~~

5. All licensed EMSP levels

a. LAPSED MORE THAN TWO (2) YEARS

- 1) All EMSP's shall complete all initial licensure requirements as outlined in Section IX. ~~B.~~

E.F. Request for Extension to Complete EMT License Renewal Requirements

1. Extensions will only be considered if the ~~licensee~~EMSP submits a letter and documentation to the Department no later than thirty (30) days prior to the EMSP's expiration date requesting an extension. The letter must include the reason(s) the extension is being requested. Extensions will be considered for the following reasons:
 - a. personal illness or hospitalization;
 - b. extensive travel or relocation within the affected time period;
 - c. military service
 - d. immediate family illness or death; or
 - e. extraordinary circumstances beyond the control of the ~~licensee~~EMSP.

~~*Note—Those failing to submit necessary forms or fees by the EMSP's expiration date will not be eligible for an extension.~~

2. Extension Decisions:

- a. If the Department receives the request and/or documentation after the EMSP's expiration date or the extension request is denied, the EMSP will be considered LAPSED. See Section VII. D.

F.G. Reciprocity ~~of~~ EMSP's

1. Required Qualifications. An applicant applying for reciprocal licensure shall meet the following requirements:
 - a. The applicant shall hold a substantially similar license in another United States jurisdiction.
 - i. A license from another state is substantially similar to an Arkansas EMSP license if the other state's licensure qualifications require: NREMT certification, Basic Life Support CPR certification and Advanced Cardiac Life Support if applicable.
 - ii. The applicant shall hold his or her occupational licensure in good standing;
 - iii. The applicant shall not have had a license revoked for:
 - i. An act of bad faith; or
 - ii. A violation of law, rule, or ethics;
 - iv. The applicant shall not hold a suspended or probationary license in a United States jurisdiction;
 - b. The applicant shall be sufficiently competent in the EMS field; and
 - c. hold current NREMT certification.
2. Required documentation. An applicant shall submit a fully-executed application, the required fee, and the documentation described below. Submission of an Arkansas criminal history background check and payment of the applicable fee to include both state and federal checks. This requirement may be waived if the individual holds an Arkansas-registered nurse licensed that is current and in good standing, or holds a current and in good standing registered nurse license from a nursing compact state.
 - a. As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas's, the applicant shall submit the following information:
 - i. Evidence of current and active licensure in that state. The Department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and
 - ii. Evidence that the other state's licensure requirements match those listed in Section IX. H.1.a. i. ¶The Department may verify this information online or by telephone to the other state's licensing board.
 - b. To demonstrate that the applicant meets the requirement in Section IX. H.1. a. ii. through iv., the applicant shall provide the Department with:
 - i. The names of all states in which the applicant is currently licensed or has been previously licensed;
 - ii. Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant has not had his license revoked for the reasons listed in Section H.1. a. iii. and does not hold a license on suspended or probationary status as

described in Section IX. H.1. a. iv. The Department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board.

- c. As evidence that the applicant is sufficiently competent in the field of EMS, an applicant shall:
 - i. Hold a current NREMT certification
 - ii. Basic Life Support CPR certification and Advanced Cardiac Life Support if applicable.
 - iii. Community paramedics must submit verification of education including scope of practice from transferring state with a letter from an Arkansas community paramedic medical director showing the candidate would be accepted to the community paramedic program.

3. Temporary and Provisional License

- a. The Department shall issue a temporary and provisional license immediately upon receipt of the application, the required fee, and the documentation required under Section IX. H. 2. a. i. and ii.
- b. The temporary and provisional license shall be effective for at least ninety (90) days or until the Department makes a decision on the application, unless the Department determines that the applicant does not meet the requirements in Section IX. H. 1. a. and b., in which case the temporary and provisional license shall be immediately revoked.
- c. An applicant may provide the rest of the documentation required above in order to receive a license, or the applicant may only provide the information necessary for the issuance of a temporary and provisional license.
- d. The Department shall require an applicant to hold a current NREMT certification if the applicant is licensed in another state that does not offer reciprocity to Arkansas residents that is similar to reciprocity to out-of-state applicants in A.C.A. §17-1-108.
- e. Reciprocity in another state will be considered similar to reciprocity under A.C.A. §17-1-108 if the reciprocity provisions in the other state:
 - i. Provide the least restrictive path to licensure for Arkansas applicants;
 - ii. Does not require Arkansas applicants to participate in the apprenticeship, education, or training required as a prerequisite to licensure of a new professional in that state, except that the state may require Arkansas applicants to participate in continuing education or training that is required for all professionals in that state to maintain licensure.

- iii. Does not require Arkansas applicants to take a state-specified education unless required under the same conditions described in A.C.A. §17-1-108.

~~The Department is authorized to approve Arkansas licensure for individuals who hold certifications or licenses issued by other states and are in good standing. In a~~Additionally,~~military, military spouses and ex-military personnel who hold a current NREMTational Registry of Emergency Medical Technician (NREMT) card will be eligible for Arkansas licensure. Licensure will be equal to pre-existing state certification, not to exceed two (2) years, excluding Military personnel. Applicants must be within the original certification/licensure period or have renewed in the Sstate currently licensed before applying for Arkansas licensure. Applicants must successfully complete the Arkansas licensure requirements prior to the expiration date in which currently licensed.~~

~~0. General Standards for reciprocity:~~

~~0.~~

~~— The applicant must be in good standing with the state they are currently licensed and not suspended or hold a probationary license. Evidence of current and active licensure in that state. The Department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and evidence that the other state's licensure requirements match those listed in Section IX.. The Department may verify this information online or by telephone to the other state's licensing board~~

~~— The applicant shall not have had their license revoked for:~~

~~— An act of bad faith; or~~

~~— A violation of law, rule, or ethics.~~

~~— To demonstrate that the applicant meets the requirement of this section, the applicant shall provide the Departmentttn with the following:~~

~~— The names of all states in which the applicant is currently licensed or has been previously licensed:~~

~~— Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant has not had his license revoked for the reasons listed in this section and does not hold a license on suspended or probationary status as described in this section. The Department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board.~~

- _____ Complete the Verification of EMT Status form (Obtained from the Department)
- _____ Submission of an a fully executed application for licensure and \$20 the application fee set forth by Arkansas Code Ann. § 20-13-211 payable to the Arkansas Department of Health.
- _____
- l. _____ Submission of an Arkansas Criminal History Background check and payment of the applicable fee to include both Sstate and Ffederal Cchecks. This requirement may be waived if the individual holds an Arkansas Rregistered Nnurse license that is current and in good standing, active license or holds a current and in good standing, active Rregistered Nnurse Llicense from a nursing compact state.
- m. _____
- n. _____ Copy of a current signed Healthcare ProviderBasic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) documenting completion of a CPR course designed specifically for healthcare providers.
- o. _____
- p. _____ Copy of a current State certification/licensure card. (Eexcludes Mmilitary personnel). For EMSP's without a current state card, who were previously licensed in Arkansas see Section XII. FH. 53.
- q. _____
- r. _____ Copy of a current National RegistryNREMT card at the current level being requested.
- s. _____ Community Paramedic Only:
- t. _____ 1) _____ Meet all requirements for reciprocity of Pparamedic Llicensure
- u. _____ 2) _____ Submit a current NREMT National Registry Certification card
- v. _____ 3) _____ Submission of education for Ccommunity Pparamedic including scope of practice from transferring state
- w. _____ 4) _____ Submission of letter from an Arkansas Ccommunity Pparamedic Mmedical Ddirector with a signature showing candidate would be accepted to be in his/her Ccommunity Pparamedic Program
- x. _____
- _____ Temporary and Provisional License for Reciprocity
- _____ The Board shall issue a temporary and provisional license immediately upon receipt of the application, the required fee, and the documentation

required not to include the background check. The temporary/provisional license shall be effective for ninety (90) days or until the Department makes a decision on the applicant's background check, unless the Department determines that the applicant does not meet the requirements in Section IX, in which case the temporary and provisional license shall be immediately revoked.

25.4. Military Personnel and Returning Military Veterans

- a. As used in this subsection, "returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under circumstances other than dishonorable. Military trained personnel will be eligible for EMT Licensure ONLY, unless documentation is submitted showing completion of an accredited AEMT or Pparamedic course including all didactic, clinical and field internship requirements.

As used in this subsection "automatic licensure" means granting the occupational licensure without an individual having met occupational licensure requirements provided under this title or by the rules of the occupational licensing entity.

- b. The Department shall grant automatic licensure to an individual who holds a substantially equivalent license in another U.S. jurisdiction or holds NREMT certification and is:
- i. An active duty military service member stationed in the state of Arkansas;
 - ii. A returning military veteran applying for licensure within one (1) year of his or her discharge from active duty; or
 - iii. The spouse of a person under a. (1) or (2) above.
- c. The Department shall grant such automatic licensure upon receipt of all the below:
- i. Payment of the initial licensure fees and submission of a DD214 (or other formal discharge documentation) showing separation from the military (peronnelpersonnel stationed in the Continental United States or overseas, reserve personnel must submit a copy of training information from their 201 file).
 - ii. Evidence that the individual holds a substantially equivalent license in another state or holds NREMT certification; and

iii. Evidence that the applicant is a qualified applicant under Section a. above.

- a. ~~The temporary/provisional license shall be effective for ninety (90) days or until the Department makes a decision on the applicant's background check, discharge documentation (licensed below if applicable) unless the Department determines that the applicant does not meet the requirements in Section IX. in which case the temporary and provisional license shall be immediately revoked. Military Personnel seeking Basic certification must complete all items listed in Section IX. F. 1. Above and the following:~~
- b. ~~_____~~
- c. ~~Submission of a DD 214 (or other formal discharge documentation) showing separation from the Mmilitary (Ppersonnel stationed in the Continental United States or overseas, Rreserve personnel must submit a copy of training information from their 201 file).~~
- d. ~~_____~~
- e. ~~Military Ppersonnel seeking Advanced Emergency Medical Technician licensure must complete the requirements listed in Section IX.F. 1.~~
- f. ~~_____~~
- g. ~~Military Ppersonnel seeking Pparamedic certification must complete the requirements listed in Section IX.F. 1~~
- h. ~~_____~~
- i. ~~_____~~
- j. ~~EMSP's previously licensed in Arkansas that hold a current NREMT Card~~
- k. ~~EMSP's previously licensed in Arkansas within the past four (4) years and holds only a NREMT certification card must complete the following to obtain reciprocity into Arkansas.~~
- l. ~~_____~~
 - 0) ~~Complete the requirements under the general standards for reciprocity. Section IX. F. 1.~~
 - 0) ~~_____~~
 - 0) ~~Successfully challenge the State or NREMT psychomotor skills exam at the level the candidate is seeking licensure.~~
 - 0) ~~_____~~

Waiver Request

- ~~_____ If an individual has been convicted of an offense listed in A.C.A. § 17-2-102(a), except those permanently disqualifying offenses found in subsection (e), the Department may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:~~
- ~~_____ An affected applicant for a license; or~~
- ~~_____ An individual holding a license subject to revocation.~~

- ~~— The Department may grant a waiver upon consideration of the following, without limitation:~~
- ~~— The age at which the offense was committed;~~
- ~~— The circumstances surrounding the offense;~~
- ~~— The length of time since the offense was committed;~~
- ~~— Subsequent work history since the offense was committed;~~
- ~~— Employment references since the offense was committed;~~
- ~~— Character references since the offense was committed;~~
- ~~— Relevance of the offense to the occupational license; and~~
- ~~— Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.~~
- ~~— A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.~~
- ~~— The Department will respond with a decision in writing and will state the reasons for the decision.~~
- ~~d. An appeal of a determination under this section will be subject to the Administrative Procedures Act §25-15-201 et seq.~~

SECTION X. HOSPITAL STAFFING

In order for an Arkansas Licensed EMSP to perform skills for which they are licensed within a hospital, the EMSP shall ensure that the following actions have been taken by the hospital:

- A. The medical staff must approve the privileges granted to the individual EMSP with the concurrence of the hospital's governing body. Specific policies governing the supervision and the procedures to be performed by the EMSP must be developed by the hospital medical staff and also approved by the hospital's governing body. EMSP's may not perform a procedure on a patient in a hospital that he or she is not licensed to perform.
- B. Approved EMSP's in a hospital setting must function in accordance with physician's orders and under the direct supervision of either the physician or the ~~R~~registered ~~N~~nurse responsible for emergency services within a hospital.
- C. In addition, with hospital concurrence, students in EMSP training programs must be trained by qualified personnel within the hospital under guidelines established by the medical staff and approved by the hospital governing body.
- D. A roster with the delineation of privileges shall be maintained and readily available.

SECTION XI. GENERAL TRAINING SITE AND EDUCATION REQUIREMENTS

The following section pertains to all EMSP training sites

- A. All Arkansas EMSP Training Sites must be accredited by the Department following the Department Accreditation Manual. Paramedic ~~T~~training ~~S~~sites shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) using current Accreditation Standards.
- B. The Department shall review all EMSP courses and EMS Education Programs (EEP) prior to the beginning of any period of instruction.
- C. Classes shall be conducted in an environment conducive to learning ~~Classes shall be conducted in an environment conducive to learning.~~
- D. Trainees must be in uniform with a standard means of identification when engaged in patient care.
- E. Education courses must follow the nationally accepted EMS Education Standards.
- ~~F.~~ ~~Basic EMSP Course EMT~~ instructors must be either an Arkansas ~~L~~icensed ~~P~~physician or a Arkansas licensed EMSP-~~I~~instructor at any level. Paramedic courses must follow the accreditation requirements set forth by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP).
- ~~F.G.~~ Physicians acting as medical directors for EMS education programs recognized by the Department, that require clinical and field internship performance by students, may delegate authority to a student in training during their performance of program required medical acts and only while under the control of the education program.
- ~~G.H.~~ Off-Site Courses must meet the following:
 - 1. All EMT and AEMT instructor requirements remain the same as if the course is conducted at the EMS Education Program.
 - 2. The facility where the class is located must meet with written approval of both the sponsoring institution and the Department.
 - 3. Written documentation shall verify one of the following concerning equipment.
 - a. All equipment needed for the course as required by the Department is available at the course location and is not removed from any permitted ambulance. Department staff may inspect the course location at any time during the course.

Or

- b. The EMS ~~E~~ducation ~~P~~rogram sponsor provides all equipment. For offsite courses, due to loading/transport/use time, that set of equipment cannot be considered available for any other course during that specific time period unless a policy exists requiring return within a certain time frame.

Or

- c. Equipment used for the course may be provided as a combined effort by the EMS Education Program and the location where the course is offered. Such an agreement must be signed prior to submission of the course request form, and must be submitted with it.

H.I. Sponsorship of Multiple Courses

1. Any EMS Education Program (EEP) may offer concurrent courses providing the following criterion has been met:
 - a. There must be adequate equipment available for each course offered to ~~i~~ensure that each student has appropriate access to each needed item.

I.J. EMS ~~E~~ducation ~~P~~rograms must submit all applicable paperwork in the time frame specified by the Department.

J.K. EMS ~~E~~ducation ~~P~~rograms must ensure students meet minimum educational requirements for the national certifying examination.

K.L. Any potential site wishing to apply to be a ~~P~~paramedic ~~T~~training ~~S~~ite must:

1. Meet Arkansas requirements as listed in the ~~Arkansas Site~~Section of EMS Accreditation Manual for EMT, AEMT, and EMT bridge courses.
2. Submit their application and site review to the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP), and in pending status for a site visit.
3. Be awaiting the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) site visit.

Full accreditation by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and Committee on Allied Health Education and Accreditation (CAHEA) shall be attained or be in the process of accreditation as documented by a letter from CoAEMSP prior to authorization of the subsequent class.

~~L. Transition/Refresher courses shall:~~

- ~~0. be sponsored by an EMS Education Program~~
- ~~0. be approved prior to starting any training~~
- ~~0. have an agenda/course outline submitted with the course approval application~~

R.M. Psychomotor Testing

1. ~~Advanced~~ EMT and ~~P~~paramedic psychomotor testing will follow the guidelines outlined in the ~~National Registry~~ ~~NREMT~~ Exam Coordinator Manuals. Any deviation from these requirements must be approved by the National Registry in writing prior to the exam.
2. EMT psychomotor testing will follow all guidelines outlined in the ~~Sections~~ Psychomotor Skills Exam Coordinator ~~Manual~~ User Guide. Any deviation from these requirements must be approved by the ~~d~~Department in writing prior to the exam.

SECTION XII. EMS EDUCATION PROGRAM REQUIREMENTS

A. Paramedic EMS Education Programs

1. All current Arkansas ~~P~~paramedic ~~EMS~~ and ~~C~~community ~~P~~paramedic ~~E~~education Programs must complete one of the following prior to starting ~~P~~paramedic or ~~C~~community ~~P~~paramedic ~~E~~education program:
 - a. ~~Have a~~ Achieved accreditation by a National Accrediting Organization or body as recognized by the Office such as the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP).
 - b. Have submitted all required paperwork, including the self-study and be awaiting the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) site visit or holds a CoAEMSP official Letter of Review.

B. Paramedic Training

1. Paramedic curriculum, evaluations, clinical and field internship will be developed and approved by the accredited EMS education facility.
2. The Department shall approve all ~~P~~paramedic courses and EMS Education Program locations prior to the beginning of any period of instruction.
3. Paramedic programs must obtain and maintain accreditation by the National Accreditation Agency, the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP).

- ~~4. Primary Instructors must be either Arkansas licensed physicians, registered nurse/EMS Instructor, or Paramedic/EMS Instructor. A paramedic who is an EMS Instructor will teach at least fifty (50) percent of each course.~~
- ~~6. There shall be an academic as well as a clinical atmosphere. Trainees must be in uniform with a standard means of identification when engaged in the patient care and clinical portions of the program.~~

8.4. Medical Facility training

- a. Clinical phases of training will be conducted within a medical facility.
- b. Paramedic students will be educated, within the hospital or medical facility by qualified personnel under guidelines and requirements stated in the curriculum and approved by the medical facilities governing body during clinical phases of training.
- c. There must be a ~~M~~medical ~~D~~irector designated, having emergency department experience, who meets the requirements in Section I. holding current Advanced Cardiac Life Support (ACLS) credentials or is board certified or board eligible by the American Board of Emergency Medicine or by the American Board of Osteopathic Medicine or licensed in emergency medicine.

9.5. Field Internship

Internship must be completed with an Arkansas licensed paramedic ambulance service or a service that meets the requirements of the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and approved by the Department. There shall be a written agreement allowing students to actively participate in patient care. The student must be in the patient compartment during transport and have direct supervision by a licensed ~~P~~paramedic at all times.

~~10.6.~~ Only those students from CoAEMSP accredited programs and recommended by their instructor and ~~M~~medical ~~D~~irector will be allowed to challenge the NREMT certification examination and obtain an Arkansas EMS license.

~~11.7.~~ There must be a ~~M~~medical ~~D~~irector designated, having emergency department experience, who meets the requirements in Section I., and documents holding current Advanced Cardiac Life Support (ACLS) credentials or is Board certified or board eligible by the American Board of Emergency Medicine or by the American Board of Osteopathic Medicine or Licensed in Emergency Medicine.

C. Community Paramedic

1. Community ~~P~~paramedic curriculum, evaluations, clinical and field internship will

follow the state approved ~~C~~community ~~P~~paramedic ~~C~~curriculum and consist of a minimum of (300) hours of classroom and clinical education.

2. The Department shall approve all ~~C~~community ~~P~~paramedic courses and EMS education program locations prior to the beginning of any period of instruction.
3. Community ~~P~~paramedic programs must obtain and maintain paramedic training site accreditation by the National Accreditation Agency, the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP).
4. Primary Instructors must be either Arkansas licensed physicians, registered nurses, ~~P~~paramedic/EMSP ~~I~~nstructors or ~~S~~subject matter experts in the fields they are representing.
5. There shall be an academic as well as a clinical atmosphere. Community ~~P~~paramedic students must have a standard means of identification when engaged in the patient care and clinical portions of the community paramedic program.
6. Clinical Internship

- a. Clinical experience shall be provided under the supervision of a community paramedic service medical director, advanced practice registered nurse, physician assistant, home health registered nurse or other licensed healthcare provider that is a subject matter expert in the clinical field they represent.

- b. Required clinical contacts can be found in ~~a~~Appendix 3

- c. Areas of clinical experience shall include at a minimum:

- Emergency department services;
- Home health services;
- Hospital case management;
- Public health agencies services

~~7. Only those students from CoAEMSP accredited programs and recommended by their instructor and the educational programs Medical Director will be allowed to challenge a state approved Community Paramedic national certification exam and obtain an Arkansas Community Paramedic license.~~

D. ~~Advanced~~ EMT Training

1. ~~Advanced~~ EMT curriculum, evaluations, clinical and field internships will be developed and approved by the Department accredited EMS ~~education facility~~ Accreditation Accreditation Manual.
2. The Department shall approve all ~~A~~advanced ~~A~~EMT courses and training sites prior to the beginning of any periods of instruction.

3. ~~Advanced~~-EMT training may be sponsored only by a higher education institution that has affiliation with an Arkansas licensed hospital or a Department approved EMS program. Any Arkansas licensed ambulance service applying for accreditation and approval by the Department must be a licensed advanced life support (ALS) service and hold an Arkansas Department of Higher Education Private Career Education License.-
4. Primary Instructors must be either Arkansas licensed physicians, or EMS ~~P~~ Instructor at the AEMT level or higher.
5. ~~Advanced~~-EMT ~~T~~training ~~S~~sites must follow AEMT policies as set forth in the ~~Arkansas Advanced~~Section of EMS Accreditation Manual for EMT, AEMT, and EMT bridge courses.
6. The Department will review the course of instruction and minimum recommended number of hours of total instruction.
7. There shall be an academic as well as a clinical atmosphere. Trainees must be in uniform with a standard means of identification when engaged in the patient care and clinical portions of the program.
8. Only those students from an accredited EMS educational facility and recommended by their instructor and ~~M~~medical ~~D~~irector will be allowed to challenge the NREMT certification examination.
9. There must be a ~~M~~medical ~~D~~irector designated, having emergency department experience, who meets the requirements in Section 1., ~~F~~holding a current Advanced Cardiac Life Support (ACLS) credentials or is board certified or board eligible by the American Board of Emergency Medicine or by the American Board of Osteopathic Medicine or licensed in emergency medicine.
 - a. Medical ~~F~~facility ~~T~~training ~~C~~clinical phases of training will be conducted within a medical facility with hospital concurrence.
 - b. ~~Advanced~~-EMT students will be trained, within the hospital or medical facility, by qualified personnel under guidelines and requirements stated in the curriculum and approved by the medical staff and the facilities governing body during clinical phases of training.
10. Field Internship
 - a. Internship must be completed with an Arkansas licensed ~~P~~paramedic or AEMT licensed ambulance service or a service that meets the requirements of the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and approved by

the Department with which there is an agreement allowing students to actively participate in patient care. The student must be in the patient compartment during transport.

E. Emergency Medical Technician Training

1. The Department shall approve all EMT courses and EMS ~~E~~education ~~P~~program locations (not previously approved) prior to the beginning of any periods of instruction.
2. EMT training may be sponsored only by a higher education institution that is affiliated with an Arkansas licensed hospital or a Department approved EMS Education Program. Any Arkansas licensed ambulance service applying for accreditation and approval by the Department, must be a licensed advanced life support (ALS) service and hold an Arkansas Department of Higher Education private career education license.
3. Primary ~~I~~nstructors must be either Arkansas licensed physicians or licensed EMSP ~~I~~nstructors.
4. The Department will review the course of instruction and minimum number of hours of total instruction prior to the course starting.
5. There shall be an academic as well as a clinical atmosphere. Trainees must be in uniform with a standard means of identification when engaged in the patient care and clinical portions of the program.
6. Only those students from an accredited EMS educational facility that have successfully completed all course requirements as documented by the instructor and ~~M~~medical ~~D~~irector will be allowed to challenge the NREMT certification examination.
7. There must be a ~~M~~medical ~~D~~irector designated for the training facility having provided care in an emergency room and meets the requirements in Section I. holding a current Advanced Cardiac Life Support (ACLS) credentials or is board certified or board eligible by the American Board of Emergency Medicine or by the American Board of Osteopathic Medicine or licensed in emergency medicine.
8. Medical Facility Training
 - a. Clinical phases of training will be conducted within a medical facility with hospital concurrence.
 - b. EMT students will be trained, within the hospital or medical facility, by qualified personnel under guidelines and requirements stated in the curriculum and approved by the facility's governing body during clinical

phases of training.

9. Field Internship

- a. Internship must be completed with an Arkansas licensed ambulance service or a service that meets the requirements of the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) and approved by the Department with which there is an agreement allowing students to actively participate in patient care. The student must be in the patient compartment during transport.

F. EMS Education Program for EMSP -Instructor Courses

1. Requirements to conduct an EMS-Instructor Course are as follows:

- a. The course must be sponsored by an Arkansas approved EMS Education Program in affiliation with an educational institution (Vo-Tech School, Technical College, Community College, four-year college or university).
- b. All courses must be reviewed by the Department prior to starting.
- c. All courses must follow the current EMS Education Standards instructor guidelines.
- d. An individual who holds a Bachelor's Degree, or higher must assist with the course.

2. The EMS-Instructor Trainer must submit the following information to the Department:

- a. A curriculum vitae of all instructional staff.
- b. Copy of course curriculum.
- c. Copy of current Basic Life Support (BLS) Instructor card.
- d. Application/written request to conduct an Instructor course (Instructor/Site Representative must receive approval letter from the ~~Office-Department~~ prior to starting course).
- e. List of applicants for verification/approval of EMSP status by ~~Office-of-EMS~~the Department.

3. Upon completion of EMT-Instructor course, the Instructor Trainer must submit end of course documentation including a list of students who successfully completed the course.

4. Each student successfully completing the EMS-Instructor course will be

responsible for completing the requirements outlined in ~~the Requirements for Arkansas EMS Instructor Certification for their level of EMT certification~~Section XIII.

SECTION XIII. EMSP EDUCATION STANDARDS AND LICENSURE REQUIREMENTS

No person is eligible to provide care, as defined in these Rules ~~and Regulations~~, without a current Arkansas EMSP License. Requirements for licensure include:

A. Paramedic

1. Pre-requisites for ~~beginning~~ an education program
 - a. Holds any current ~~S~~state EMT license or ~~A~~EMT ~~dvanced~~ EMT licensure. Military must hold a current ~~N~~REMT ~~ational Registered~~ EMT ~~EMT~~ or ~~A~~EMT ~~dvanced~~ EMT license. Those ~~not holding~~that do not hold an Arkansas license must obtain Arkansas licensure prior to beginning any field or clinical internship.
 - b. Copy of a current ~~signed~~ Healthcare Provider Basic Life Support CPR card (~~M~~ust follow current American Heart Association Guidelines and require a hands on skills component) ~~documenting completion of a CPR course designed specifically for healthcare providers~~ prior to beginning any field or clinical internship.
2. Pre-requisites for field/clinical participation
 - a. Candidate must be Arkansas licensed EMT or an Arkansas ~~A~~EMT ~~dvanced~~ EMT prior to starting any field or clinical participation and maintain licensure throughout the field/clinical training.
3. Pre-requisites for testing
 - a. Currently licensed as an Arkansas EMSP.
 - b. Successful completion of a Department approved ~~P~~paramedic course.
 - c. Copy of a current ~~signed~~ Healthcare Provider Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) ~~documenting completion of a CPR course designed specifically for healthcare providers~~.
 - d. Submit a copy of a ~~signed~~ current American Heart Association Advanced Cardiac Life Support (ACLS) card ~~documenting completion of an ACLS class~~.
4. Licensure requirements

- a. ~~Successful~~Successfully completionone of the NREMT certification examination including both didactic and psychomotor exams.

B. Community Paramedic

1. ~~—~~Pre-requisites for ~~beginning~~ an education program
 - a. Holds a current Arkansas ~~P~~paramedic license.
 - b. Holds a current ~~signed Healthcare Provider~~Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) ~~documenting completion of a CPR course designed specifically for healthcare providers~~ prior to beginning any field or clinical internship.
 - c. Holds a ~~signed~~ current American Heart Association Advanced Cardiac Life Support (ACLS) card ~~documenting completion of an ACLS class~~.
2. Pre-requisites for testing
 - a. Meets all requirements outlined in Section XIII. B. 1. a-~~dc~~.
 - b. Successful completion of a Department approved ~~C~~community ~~P~~paramedic course.
3. Licensure requirements
 - ~~b. Successfully complete a state approved national certification examination.~~
 - a. Have two (2) years of fulltime service as a paramedic and ~~be~~ actively employed by a licensed paramedic service. Prospective ~~EMSPs~~licensees shall submit a letter from a licensed paramedic service indicating a minimum of 1000 hours worked per year for two (2) years and confirming that they are actively employed by that service.
 - b. Community paramedic licensure will run concurrent with the current EMSP expiration date.

C. Advanced Emergency Medical Technician

1. Pre-requisites for ~~beginning~~ education program
 - a. Successful completion of a Department approved EMT ~~C~~course, or holds a current ~~S~~state EMT license ~~-/~~-certification from another state ~~and with~~ a current ~~NREMTational Registered EMT certification~~ card, or ~~M~~military

personnel who ~~have hold a~~ current NREMT ~~certification~~ Registered EMT card.

- b. Copy of a current ~~signed Healthcare Provider~~ Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) ~~documenting completion of a CPR course designed specifically for healthcare providers~~ prior to beginning any field or clinical internship.

2. Pre-requisites for field/clinical participation

- a. Candidate must be a current Arkansas licensed EMT prior to starting any field or clinical participation and maintain licensure throughout the field/clinical training.

3. Pre-requisites for testing

- a. Currently licensed as an Arkansas EMT.
- b. Successful completion of a Department approved A ~~EMT~~ Advanced EMT program.
- c. Copy of a current signed ~~Healthcare Provider~~ Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) documenting completion of a CPR course designed specifically for healthcare providers.

4. Licensure requirements

- a. Successfully complete the NREMT ~~Advanced AEMT~~ EMT certification examination including both didactic and psychomotor exams.

D. ~~Emergency Medical Technician~~

1. Licensure requirements

- a. Licensure shall be based on successful completion of a Department approved EMT course including all didactic, clinical and field internship requirements.
- b. Successfully complete the Arkansas psychomotor skills examination and the National Registry of EMTs didactic examination.
- c. Copy of a current signed Basic Life Support CPR card (Must follow current American Heart Association Guidelines and require a hands on skills component) documenting completion of a CPR course designed specifically for healthcare providers.

E. Emergency Medical Service Personnel - Instructor

1. Instructor licensure will run concurrent with the current EMSP expiration date.
2. Instructor Candidate Education Requirements
 - a. Currently Licensed Arkansas EMSP for a minimum of two (2) years.
 - ~~b. Complete instructor application~~
 - ~~e.b.~~ Licensed as an EMSP continuously from any State, National or Mmilitary for a minimum of two (2) years and currently licensed as an Arkansas EMSP.
 - ~~d. Submit a letter of recommendation from the training site representative of an accredited EMS Education Program with the application.~~
 - ~~f.c.~~ Current signed Healthcare Provider Basic Life Support CPR Instructor card (Must follow current American Heart Association Guidelines and require a hands on skills component) ~~documenting completion of a CPR course designed specifically for healthcare providers.~~
 - ~~f. Complete a Skills Evaluator Training program prior to starting any EMSP instructor course~~
 - g.d. Successfully complete a Section approved forty (40) hour EMSP Instructor course or holds a minimum of a bachelor's degree in education. For successful completion of the forty (40) hour EMSP Instructor course, students must complete the end of course didactic examination with a minimum score 80%, and meet all other course requirements.
3. Upon completion of the Instructor requirements listed above, the Instructor ~~C~~candidates will be placed on provisional status. Provisional Instructors must complete the following within twelve (12) months of completion of the Instructor course. Failure to complete these requirements within the twelve (12) month period, will require the eandidatecandidate will have to complete-repeat the instructor course:
 - a. Instruct an initial EMT-~~Basie~~ course or an approved forty (40) hour EMT ~~Transition / Refresher Program~~ that is sponsored by a Department approved EMS Education Program as long as ALL-all of the following requirements have been met:
 - 1) Provisional Instructors choosing to teach a forty (40) hour ~~transition / refresher~~ program to meet this requirement shall be licensed for a minimum of two (2) consecutive years at the level they will teach.

- 2) All courses taught must be sponsored by a Department approved EMS ~~E~~education ~~P~~program.
- ~~3) Applications for a~~ All courses must be approved by the Department prior to starting (Instructor/Program Director must receive approval notification from the Department prior to starting the course)
- ~~4) Submit a letter of recommendation from the training site representative of an accredited EMS education program with the application.~~
- ~~3)5) Current Healthcare Provider~~ Basic Life Support CPR instructor card (must follow current American Heart Association Guidelines and require a hands on skills component)
- ~~4)6) The Provisional I~~ instructor shall teach a minimum of twelve (12) hours of the first course and must be monitored for a minimum of five (5) hours by one (1) of the following:
 - a. The Candidate's ~~I~~instructor ~~T~~trainer
 - b. EMS ~~I~~instructor approved by the Department ~~and the candidates Instructor Trainer~~
 - c. Training ~~S~~site ~~R~~representative
 - ~~e. A Department Representative~~

F. EMSP Instructor Teaching Advanced Courses

1. ~~Advanced~~ EMTs who apply to teach an ~~A~~dvanced EMT course must complete-meet the following:
 - a. ~~Have received full EMSP Educator status~~ Hold an EMSP instructor license.
 - b. ~~Have b~~ Been licensed as an A ~~EMT~~dvanced EMT for a minimum of two (2) years.
2. Paramedics who ~~applies-apply~~ to teach an A ~~EMT~~dvanced EMT or ~~P~~paramedic course must complete-meet the following:
 - a. Hold an EMSP instructor license. ~~Have received full EMSP Educator status~~
 - b. ~~Have~~ Hold a current ACLS Instructor card
 - c. Have been licensed as an Arkansas ~~P~~paramedic for a minimum of two (2) years

G. EMSP Educator Trainer

1. All of the following eligibility requirements must be met for EMSP ~~I~~nstructors to become an EMSP Educator Trainer:
 - a. Arkansas licensed EMSP~~;~~
 - b. Licensed continuously for two (2) years in EMS as an EMSP ~~Educator~~instructor.
 - c. Sponsored by an Arkansas approved EMS ~~E~~ducational ~~P~~rogram.
~~e. Current Skills Evaluator Training.~~
 - d. A minimum of an Associate Degree in an Allied Health Field, Education, or Emergency Management.

SECTION XIV. DRUGS AND PHARMACEUTICALS

A. NOTICE OF INSPECTION

Investigators and inspectors for Pharmacy Services and Drug Control, and Arkansas Department of Health, are directed to make investigations, ~~and~~ inspections and ~~make~~ copies of the records and orders, wherever located, of all services licensed by the Department in order to determine whether or not said licensed ambulance services have violated the laws ~~and regulations~~ of the ~~S~~state of Arkansas respecting prescribing and using of narcotics and other drugs and whether or not said services have violated the provisions of the law.

B. REGISTRATION

A separate registration in the name of the ~~M~~medical ~~D~~irector (~~P~~physician) is required for each service license place of business at one general physical location where controlled substances are maintained or distributed to ambulances specifically licensed to maintain drugs.

C. SECURITY

1. The controlled substances storage area at the ambulance service's physical location shall be accessible only to specifically authorized employees.
2. The Licensee shall provide adequate security for all legend (prescription) drugs on-board all registered vehicles. Schedule II drugs have a separate requirement for security that also must be complied with by the licensee.
3. All controlled substances shall be stored under a mounted double lock security. All other prescription drugs shall be stored under a single lock security

D. PROCEDURE IN CASE OF LOSS OF CONTROLLED SUBSTANCES

1. Each ~~L~~icensed ~~A~~mbulance ~~S~~ervice or ~~M~~edical ~~D~~irector shall notify the Office of Pharmacy Services and Drug Control, and Arkansas Department of Health immediately upon discovery of any suspected loss, theft and/or other diversion of any controlled substance under their supervision. Additionally, 21 CFR Part 1301.74 (c) requires notification of the Field Division Office of the Drug Enforcement Administration (DEA) in writing within one (1) business day of discovery of the theft or loss.
2. The original and one copy of the DEA Form 106 shall be sent to the DEA Resident Office and one copy shall be sent to the Pharmacy Services and Drug Control within seven (7) days.

E. RECORDS OF CONTROLLED SUBSTANCES

1. The ambulance service medical director is responsible for maintaining accurate and complete records of such drugs received and a record of all such drugs administered, or professionally used otherwise. * *Exception: Hospital based Service (The hospital's DEA Registration allows for the drugs to be supplied to the service through the hospital pharmacy where records of administration and distribution are the responsibility of the hospital).*
2. The basic records are: receipt and disposition of controlled drugs within the service, patient medical records (Encounter Forms), and the controlled drug procurement and disposition records.
3. The record shall in every case show the date of receipt, the name and address of the person or business from whom received and the kind and quantity of drugs received.
4. The record shall show: the drugs administered, date of administration, the name and address of the person to whom or for whose use the drugs were administered, and the kind and quantity of drugs.
5. Patient medication records shall consist of at least, (a) physician's order authorizing the dispensing and administration of medications (Standing Orders), (b) medication administration record indicating the date, time and signature of the ~~P~~paramedic or other licensed healthcare provider administering controlled drugs to the patient, and (c) the ~~P~~paramedic or other licensed healthcare provider notes indicating the date, time, method of administration, and condition of the patient before and after the controlled drugs were administered and signature of the ~~P~~paramedic or other licensed healthcare provider administering the drug.
6. In addition to patient's medical records, a record of the procurement

and disposition of controlled drugs must be maintained.

7. The disposition record must reflect the actual dosage administered to the patient, the patient's name, date, time and signature of the paramedic administering the controlled drug. Any error of entry on the disposition and procurement record shall follow a policy of correction of errors and accurate accountability. If the person who procures the controlled drug is not the person who administers the drug, then both persons must sign the disposition record.
8. When breakage or wastage of a controlled drug occurs, the amount administered and the amount wasted must be recorded by the paramedic or other licensed healthcare provider who wasted the drug and verified by the signature of a licensed healthcare provider and/or licensed paramedic who witnessed the wastage and how it was wasted.
9. Adequate accountability does not require the use of a specific system or form. The system employed must be designed so that all requirements listed are met.
10. Each licensed ambulance service shall maintain inventory records in one consolidated record system. Records of Schedule II substances shall be maintained separately from all other records. Inventories of Schedule III, IV and V shall be maintained either separately from all other records or in such form that the information required is readily retrievable from the ordinary business records.
11. Every record shall be kept by the registrant and be readily retrievable and available for at least two (2) years from the date of the recording for inspection and copying by authorized agents of the Office of Pharmacy Services and Drug Control, Arkansas Department of Health, or the Section of EMS.

F. SURRENDER OF UNWANTED CONTROLLED SUBSTANCES

Must be in accordance with the Office of Drug Enforcement Agency's Regulations regarding A

all controlled substances no longer usable due to deterioration, expired dating, or no longer used by the service.

- ~~0. Must be delivered in person or by registered mail or other means of shipment with return receipt and all completed copies of Report of Drugs Surrendered (Form PhA:DC-1) furnished by the Department of Health to: Office of Pharmacy Services and Drug Control, Arkansas Department of Health, 4815 West Markham Street Slot 25, Little Rock, AR 72205-3867, OR~~
- ~~0. May be destroyed only by authorized agents of the Arkansas Department of Health on site.~~

G. POLICIES AND PROCEDURES MANUAL

A policies and procedures manual pertaining to drug handling shall be developed and submitted to the Office of Pharmacy Services and Drug Control for approval. This manual shall also be submitted to the Department. The manual shall include at a minimum the following:

1. Detailed job descriptions, duties and responsibilities of each employee handling drugs.
2. Procedures for registration of the ambulance service ~~M~~medical ~~D~~director, security of drugs and limiting access to one person responsible for the accountability during shift, accurate and complete record keeping of drugs, and availability of records for inspection.
3. Procedures in case of loss of drugs, surrender of unwanted drugs, and wastage.
4. Services shall have a quality assurance process for all controlled substances that includes a routine audit process. Any discrepancies shall be immediately reported to the Department and the DEA.

H. STORAGE OF PHARMACEUTICALS BY LICENSED AMBULANCE SERVICES

1. All pharmaceuticals will be stored in accordance with the instructions included in the package inserts of each drug. Factors such as heat, freezing, susceptibility to light, etc., are described in the insert, and all services will provide suitable storage to comply with the instructions.
2. Freezing is defined as storage at temperatures at or below 32 degrees Fahrenheit (32 F). Excessive heat is defined as temperatures at or above 104 degrees Fahrenheit (104F). The licensee will provide protection of fluids and pharmaceuticals on units.

I. ADDITIONS TO THE REQUIRED AND OPTIONAL DRUG LISTS

All additions to the Optional Drug List will be approved by the ~~M~~medical ~~D~~director, ~~recommended by the Governor's Advisory Council~~ and approved by the Department, prior to implementing the drug.

J. PURCHASING DRUGS FROM HOSPITALS

The policy of purchasing small quantities of legend drugs from hospital pharmacies by the supervising physician of non-hospital based ambulance services or EMS systems is acceptable. There is no requirement for hospitals to participate in this sale.

SECTION XV. GUIDELINES FOR TRAUMATICALLY INJURED PATIENTS

A. TRIAGE OF TRAUMATICALLY INJURED PATIENTS

Licensed ambulance services shall appropriately triage all traumatically injured patients using the Field Triage Decision Scheme: The Arkansas Trauma Triage Protocol identified as Appendix 2. The Lead EMSP will make the destination decision considering the ATCC recommendation, patient's condition, distance of travel, patient preference, and system status.

B. URGENT TRAUMA TRANSFERS

The following rules regarding the process for inter-facility trauma transfers applies to those services participating in the states trauma system. Services not participating shall have written protocols addressing procedures for the timely inter-facility transfer of urgent trauma patients as defined below to appropriate adult or pediatric trauma centers based on a patient's medical needs. Any deviation from the services protocol shall be reviewed by the services medical director.

The need for an urgent trauma transfer exists when, in the opinion of the treating physician, two conditions are met:

1. The immediate needs of the patient cannot be met in the sending facility due to lack of capability or capacity;

and
2. The patient's condition is such that failure to meet the immediate needs will likely result in loss of life, limb, fertility or permanent impairment that transfer to a higher level of care could potentially ameliorate.

The hospital seeking the urgent trauma transfer shall contact the ATCC to provide patient condition information and to obtain concurrence with the urgent trauma transfer classification. All urgent trauma transfers shall prompt involvement of the medical director of ATCC in real time. The medical director shall verify the urgent nature of the transfer and concur there is reasonable evidence the two conditions of an urgent trauma transfer are met. If the above conditions are met and concurrence from ATCC is obtained, this transfer qualifies as an urgent trauma transfer.

Once the ATCC confirms the patient meets the criteria for urgent trauma transfer, the ATCC shall contact the EMS service identified by the transferring hospital to coordinate pick up. The ATCC shall confirm with the transferring hospital the time the patient will be ready for pick-up and communicate that to the EMS service. The sending hospital should contact the EMS service designated on the ATCC dashboard early in the process to allow the service as much advance notice as possible of the impending urgent transfer.

If the EMS service cannot be at the transferring hospital by the agreed upon time, a backfill service shall be contacted by the EMS Service. Service area coverage is considered in place at the time the backfill agreement request is accepted. If the service is unable to secure a backfill

agreement acceptance, the ATCC shall be available to assist with the backfill, but not assume responsibility. The EMS service shall have ten minutes to accept the transfer request and shall arrive at the hospital at time agreed upon between the transferring hospital and the EMS service. The patient and paperwork should be ready for transfer at that time.

All urgent trauma transfer requests shall prompt a review at the local TRAC PI Subcommittee to ensure that the system is being used appropriately, the urgent trauma transfer is accomplished in a timely manner, and that each segment of the system performed its responsibilities. Potential abuses of the system shall be elevated to the State TRAC/PI Subcommittee of the TAC for adjudication and recommendation of action steps to the ADH in order to prevent future abuses.

C. NON-URGENT TRAUMA TRANSFERS

1. If the transfer request does not meet the two criteria for an urgent transfer, yet the patient's injury requires a higher level of care, the transferring hospital shall call the ATCC to coordinate acceptance with the receiving hospital. The transferring hospital shall notify its EMS service and coordinate an appropriate time for patient pick-up. The EMS service shall have no less than one (1) hour to arrive at the transferring facility. The transferring hospital shall have the patient ready for pick-up by the agreed upon time.

SECTION XVI. VIOLATIONS

A. Regulatory Administration

1. Any authorized representative of the Department shall have the right to enter the premises of any service or permitted ambulance at any time in order to make whatever inspection necessary in accordance with the minimum standards prescribed herein. Each service shall maintain and make available (during normal business hours) to the Department for inspection records including, but not limited to:
 - a. Patient records
 - b. Equipment checks
 - c. EMSP certifications, continuing education and credentialing
 - d. Policies and procedures
 - e. Any document related to service licensure

A.B. Penalty

1. It shall be Departmental policy to suspend or revoke a service license, EMSP license, vehicle permit, EMSP instructor status or authorized and accredited training site for failure to comply, maintain compliance with, or violation of any applicable provision, standard or requirement of Act 435 of 1975, as amended,

~~or the rRules and regulations promulgated thereunder. The Department may impose one or more penalties for any offense committed hereunder, including revocation, suspension, or probation of a license, or any other discipline which is appropriate under the circumstances, including but not limited to requiring completion of education requirements.~~

~~Any administrative action taken against a licensed EMSP for violating these rRules and regulations will be based on their EMT-licensure.~~

- a. ~~As to ambulance service licenses, pursuant to Three (3) formal citations (Probation or Suspensions) during the license term for failure to comply with Arkansas Code §20-13-1005, three formal citations during the license term for failure to comply with Subchapter 10 of Chapter 13 of Subtitle 2 of Title 20 of the Arkansas Code, and any regulations~~ Rules promulgated by the Department of Health in regard to ambulance services ~~may~~ shall result in revocation of the ambulance service license. However, the Arkansas State Board of Health and Department of Health are not limited in disciplinary action up to and including revocation of licensure in the event of fewer than three (3) formal citations.

~~Any administrative action resulting in the Ssuspension or Rrevocation of a EMSPemergency Medical Services Personnel, ambulance services, EMSP-Instructors license or EMSP training sites shall be reviewed by the Departments legal staff.~~

~~Any person who knowingly or willfully violates these rules may be guilty of a misdemeanor and shall be punished by a fine of not more than \$100.00 or by imprisonment for a period not to exceed thirty (30) days in the county jail or both such fine and imprisonment.~~

~~Any demonstration of incompetence, knowingly or willfully violating these rules or other inability to provide adequate service shall subject a service licensee or licensed EMSP, to Departmental corrective action which may result in written warning, probation, suspension or revocation of a service license vehicle permit, EMT certificate, license, instructor status or training site license.~~

- b. Any non-licensed person found violating these rules may be prohibited from obtaining Arkansas State Licensure for one (1) year. If such person does obtain Arkansas State licensure after one (1) year, they will be placed on Probation for their first two (2) year licensure period

- b. ~~The Department may suspend, revoke, or place any EMSP's license or certification on probation for any of the offences set forth in Subsection B below following EMS-Disciplinary policy is the standard which will be followed for actions against EMSP's, ambulance services, EMSP-Instructors and EMS training sites when there have been~~

~~proven violations of the current EMS Rules and Regulations:~~

~~OFFENSES~~ffenses:

~~EMSP Convicted, plead guilty or nolo contendere to any criminal offense listed in Arkansas Code Ann. § 20-13-1106 (Concurrent with state law)~~

- ~~• Conviction, pleading guilty, or nolo contendere to any ~~eriminal~~criminal offense listed in Arkansas Code Ann §~~17-2-102.20-13-1106~~~~
- ~~• Demonstration of incompetence, knowingly or willfully violating these Rules or other inability to provide adequate service.~~
- ~~• Violating any provision of the Arkansas Department of Health's Emergency Medical Services Rules , as well as federal, state, or local laws, rules affecting, but not limited to, the practice of EMS.~~
- ~~• Any conduct which is in violation of any criminal, civil and/or administrative code or statute.~~
- ~~• Falsifying, destroying or failing to make accurate, complete and/or clearly written or oral patient care reports documenting a patient's condition upon arrival at the scene, the prehospital care provided, and patient's status during transport, including signs, symptoms, and responses during duration of transport as per EMS provider's approved policy.~~
- ~~• Disclosing confidential information or knowledge concerning a patient except where required or allowed by law.~~
- ~~• Causing or permitting physical or emotional abuse or injury to a patient or the public, and/or failing to report such abuse or injury to the Department, appropriate legal authority and/or the Department within twenty-four (24) hours after the event occurs.~~
- ~~• Failing to report to the employer, appropriate legal authority or the Department, an event of abuse or injury to a patient or the public within ~~twenty-four (24)~~ hours (or the next business day within ~~twenty-four (24)~~ hours) after the event.~~
- ~~• Failure to follow the medical director's protocol, performing advanced level or invasive treatment without medical direction or supervision, or practicing beyond the scope of certification or licensure.~~
- ~~• Failing to respond to a call while on duty and/or leaving duty assignment without proper authority.~~
- ~~• Abandoning a patient.~~
- ~~• Failing to comply with the terms of a Department ordered probation or suspension.~~

- Misrepresenting level of any certification or licensure.
- Misappropriating or failure to take precautions to prevent misappropriation of medications, supplies, equipment, personal items, or money belonging to the patient, employer or any other person or entity.
- Falsifying or altering, or assisting another in falsifying or altering, any Department application, EMS license; or using or possessing any such altered certificate or license.
- Cheating and/or assisting another to cheat on any examination, written or psychomotor, by any provider licensed by the Department or any institution or entity conducting EMS education and/or training or providing an EMS examination leading to obtaining licensure or renewing licensure.
- Obtaining or attempting to obtain and/or assisting another in obtaining or attempting to obtain, any advantage, benefit, favor or gain by fraud, forgery, deception, misrepresentation, untruth or subterfuge.
- Illegally possessing, dispensing, administering or distributing, or attempting to illegally dispense, administer, or distribute controlled substances as defined by the federal or state laws.
- Receiving disciplinary action relating to an EMS certificate or license or another health provider certificate or license issued in another state or in a U.S. Territory or in another nation, or receiving disciplinary action relating to another health provider certificate or license issued in Arkansas.
- Failing or refusing to timely give the Department full and complete information requested by the Department.
- Failing to notify the Department of being convicted or pleading guilty or nolo contendere of a criminal offense within ten (10) business days of the conviction or plea, other than any class C misdemeanor not related to EMS.
- Failing to notify the Department within five (5) business days of his or her being arrested, charged or indicted for any criminal offense, other than any class C misdemeanor not directly related to EMS.
- Engaging in any conduct that jeopardizes or has the potential to jeopardize the health or safety of any person.
- Failure of any drug screening test administered during an EMS work or volunteer shift, or within twelve (12) hours of the beginning or end of any such shift.
- Resigning employment or refusing by the employee, of an employer drug screening test right before, after or during an assigned EMS work or volunteer shift.

- Failing to maintain the requisite of skill, knowledge and/or academic acuity to timely and/or accurately perform the duties or meet the responsibilities required of a licensed EMSP at appropriate licensure level that endangers the safety or welfare of patients and/or EMSP's.
- Delegating medical functions to other personnel without approval from the medical director per approved protocols.
- Behaving in a disruptive manner or exhibiting unprofessional conduct toward other EMS personnel, law enforcement officers, firefighters, hospital personnel, other medical personnel, patients, family members or others on scene.
- Falsifying or altering clinical and/or internship documents for EMS students.
- Falsifying or failing to complete daily readiness checks on EMS vehicles, medical supplies and/or equipment as required by EMS employers.
- Engaging in acts of dishonesty which relate to the EMS profession.
- Behavior that exploits the EMS personnel-patient relationship in a sexual way. This behavior is non-diagnostic and/or non-therapeutic, may be verbal or physical, and may include expressions or gestures that have sexual connotation or that a reasonable person would construe as such.
- Falsifying or making any false statements in any information provided to or by the Department to include misrepresentation, fraud, or ~~concealment~~ concealment including but not limited to applications for licensure, certification, or renewal of a licensure or certification and continuing education requirements.
- Acting negligently, neglectfully, or with intent to cause harm toward a patient or other person
- Reporting to duty or rendering patient care while under the influence of alcohol (According to current Arkansas Legal Code) illegal drugs or illegally obtained drugs concurrent with State Law.
- Use of alcohol or any intoxicating substance (other than as directed by a physician) while on duty.
- Providing false information to regulatory officials or willfully concealing known deficiencies during an inspection.
- ~~Diverting drugs, supplies or property of patients, patient's families, or healthcare providers.~~
- ~~Altering a license or certification card.~~
- Conviction of driving under the influence of alcohol or other intoxicating

~~substance illegal drugs*~~ while on duty, on emergency response or during patient transport. ~~*Includes pharmaceutical, narcotics, stimulants, depressants, prescription drugs.~~

- ~~• Immediate and intentional refusal to render care to the reasonable level of skill, prudence, caution and competence that could be expected under the circumstances while responding to a formal request for emergency medical care~~

~~Acting negligently or neglectfully when caring for or treating a patient.~~

~~Racial, sexual, religious, age, disability discrimination or harassment during the rendering of patient care, during EMS Training or while on duty.~~

~~Threatening, intimidating or interfering with job performance of other EMS personnel while on an ambulance response or during the rendering of patient care.~~

- Failure to report substance abuse of on-duty EMS personnel to the Department.

~~Obtaining a license or certification by fraud, deceit, misrepresentation, or by concealing material facts.~~

- Failure to follow accepted standards of care in the management of a patient or in response to a medical emergency.

~~Falsifying entries or failing to make required or essential entries in a patient care report, EMS education document, or medical record.~~

~~Unprofessional conduct while on duty or at the scene of an emergency that hinders, delays, eliminates, or deters the provision of medical care to the patient or endangers the safety of the public.~~

~~Cheating on an EMSP Psychomotor and/or written examination.~~

- Using equipment and/or performing procedures beyond the EMSP's level of licensure, ~~scope of practice,~~ or the level of licensure of the ambulance service.
- Unauthorized release or divulgence of confidential information to an unauthorized person or using confidential patient information for personal or financial benefit.
- Providing care as an Arkansas EMSP independent or with a licensed EMS service while having a lapsed or expired Arkansas EMSP licensure.
- Failure to respond or accept official Departmental correspondence sent by certified mail.

- Misappropriation, stealing and/or embezzlement of EMS grants or equipment purchased under such grants.
- Falsification of records related to ambulance service operations.
- Failing to provide patient information to a hospital or other health care facility in response to an authorized request.
- Failing to report to the Department actions regarding incompetent, unethical, or illegal practice by any EMSP.
- Requiring EMS Personnel to violate EMS Rules ~~and Regulations~~ or EMSP standards.
- Engaging in the delivery of emergency medical services on a revoked, suspended, expired, or inactive Arkansas license.
- Alteration of/or transferring a vehicle permit from one vehicle to another. Operating ~~an~~ ambulance or EMS vehicle that is not licensed or insured.
- Failure to follow all requirements concerning drugs and pharmaceuticals
- ~~Endangering the safety or welfare of patients and/or EMS Personnel due to failure to maintain compliance with appropriate level of licensure.~~
- Carrying and/or using equipment not approved by the Department for the licensure level.
- Using an EMT who is lapsed or not Arkansas licensed to meet ambulance staffing requirements.
- Failure to have all necessary equipment and non-expired supplies in licensed ambulances for the level of licensure.
- Failure to follow the manufacturer's recommendations for the use of medical equipment in a manner which causes harm to the patient.
- Conviction of violation of Federal Communications Commission Concurrent with Federal Laws (FCC) Rules ~~and Regulations~~.
- Falsification by the instructor of facts on student paperwork/applications.
- Teaching an EMS related course that requires pre-approval from the Department without having that approval.
- Abandonment of an approved EMT course.
- Failure to complete and submit required documentation for all students.

- Failure to teach courses by National Standard Curriculum.
- Failure to observe recognized professional teaching standards
- Falsification of continuing education documentation
- Falsification by the training site of records related to courses or training
- Conduct or actions by the training site that results in harm to the health and safety of the student
- Failure to meet and maintain the criteria for program approval as set by the Department or accrediting body
- Failure to allow the Department to inspect, observe, or evaluate programs, including program personnel, facilities, classes, and clinical practice sessions
- Use of training personnel not competent for the type of training offered
- Failure to observe recognized professional standards in the course content and operation of the training program
- Failure to keep accurate and adequate records, of the names and addresses and type of training completed of all graduates and attendees for a minimum of two (2) years
- Allowing an ~~Advanced~~ EMT or ~~P~~paramedic student to participate in ~~clinical-rotations~~ medical facility or field internship without being a licensed ~~as an~~ EMT.
- Failure to offer training consistent with the approved application

B.C. Criteria for Denial of EMSP Licensure

An EMSP ~~certification~~/license may be denied for the following reasons:

1. Failing to meet any requirements set forth in these rules ~~or other applicable law.~~
2. Previous conduct of the applicant during the performance of duties that are similar to those required of EMS personnel, whether performed as a volunteer or for compensation, which are contrary to acceptable standards of care or conduct for EMS personnel, or contrary to accepted standards of conduct as described or required in these Rules.
3. Submitting false information, or failing to disclose material facts, on or in conjunction with any Arkansas application for certification or licensure or renewal of certification or licensure.

4. Staffing an EMS vehicle deemed to be in service while the person's previously issued certification or license is expired, suspended or has been revoked.

4.5. Any other fact, condition, or circumstance which in the judgment of the Department renders the applicant or renewal applicant unfit to practice as an EMSP.

C.D. Department Hearing and Procedures

1. It shall be Departmental policy to use its discretionary right to consider all available information that is relevant and material.
2. The Department shall reserve the right to refrain from investigating complaints alleging violation until the complaint is reduced in writing and filed with the Department stating the nature of the alleged violation, the date, and the name of the person submitting the complaint.
3. If the Department's investigation concludes that the charges brought against a licensed service or licensed EMSP are warranted, the matter shall be brought before the Arkansas Department of Health following the current Administrative Rules Process adopted by the ~~S~~state of Arkansas.
4. In Informal Departmental hearings a person may appear in person and represent himself, or be represented by an ~~A~~attorney at ~~L~~law.
5. Two types of hearings
 - a. Informal - those normally held for the purpose of obtaining necessary or useful information before the Department.
 - b. Formal - those held for the purpose of adjudication of rights before the Department.
6. Where, in the opinion of the Department, the public's health, interest, or safety is jeopardized, or the failure to be in compliance is willful, the Department may temporarily suspend the license of a service or the licensure of an EMSP until the matter is decided by the Department.
7. In all administrative enforcement and appeal procedures thereunder, it shall be in accordance with the Arkansas Administrative Procedures Act and Amendments thereto.
8. Probation: The department may place an EMSP license on probation, and as a probationary condition may require the ~~certifican~~ licensee to:
 - a. report regularly to the Department on matters that are the basis of the

probation;

b. limit practice to the areas prescribed by the Department;

c. continue or review professional education until the person attains a degree of skill satisfactory to the Department in those areas that are the basis of the probation; and/or

a.d. complete or continue to meet certain requirements or conditions related to the circumstances surrounding the certificant's or licensee's rule violations or background to assure that he or she will continue to meet and maintain general EMS standards

9. Any person, whose EMSP license has been revoked by the department and who later regains certification or licensee under this section, shall be placed on probation for one year and be required to meet certain conditions to assure that he or she will meet and maintain general EMS standards

10. Reapplication

a. Two (2) years after denial, revocation of a license, or the voluntary surrender of a certificate or license, an individual may petition the Department in writing for reapplication for certification or licensure. Expiration of a certificate or license during the suspension period shall not affect the two-year waiting period required before a petition can be submitted.

b. The petitioner bears the burden of proving fitness for certification or licensure

c. The Department may allow the petitioner to file an application for certification or licensure if there is proof that the health, safety, and confidence of the public will be protected.

d. The Department may deny any petitioner if, in the judgement of the Department, the reason for the original action continues to exist or if the petitioner has failed to offer sufficient proof that there is no longer a threat to public health, safety, and/or confidence.

11. Notification of disposition. A copy of the order of final disposition of proposed disciplinary action shall be sent to any licensed EMSP, first responder organization, medical director, institution or facility with which the certificant or licensee is known to be associated at the address shown in the current records of the Department.

1. Clinical investigations may be recommended by the EMS Advisory Council and approved by the Department and the Board of Health. Test periods will be temporary in nature, and will be determined on an individual basis for each procedure and technique tested. A written request to enroll in a ~~C~~clinical ~~I~~nvestigation must be submitted to the ~~Governor's-EMS~~ Advisory Council ~~on~~ and approved by the Department. Clinical ~~I~~nvestigations beyond the scope of the EMS Rules ~~and Regulations~~ are to be evaluated in a carefully controlled study under appropriate medical control. At the completion of the evaluation period, the test results will be forwarded to the Board of Health for review. Permission for ~~C~~clinical ~~I~~nvestigations will be granted only to determine if the procedure or technique should be added to the existing EMS Rules ~~and Regulations~~ and must follow the clinical investigations guidelines recommended by the EMS Advisory Council and approved by the Department.

SECTION XVII. SEVERABILITY

If any provision of these Rules ~~and Regulations~~, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these Rules ~~and Regulations~~ which can give effect without the invalid provisions or applications, and to this end the provisions hereto are declared to be severable.

SECTION XVIII. REPEAL

All ~~Regulations-Rules~~ and parts of ~~Regulations-Rules~~ in conflict herewith are hereby repealed.

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED **PARAMEDIC** EQUIPMENT LIST

ALL EQUIPMENT MUST INCLUDE ALL AGE APPROPRIATE SIZES

Minimum Required Equipment list and Quantity (Paramedic)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
<div>4X4 Pads (6)</div> <div>ABD Pads (2)</div> <div>Trauma Dressing (2)</div> <div>Isolation Kits (2)</div> <div>Roller Gauze (6)</div> <div>Triangular bandages</div> <div>OB Kit (1)- must contain Bulb syringe</div> <div><u>Sterile Saline</u></div> <div>Betadine</div> <div>Solution (1 Bottle) or swabs-</div> <div>Bandage / EMT Shears</div> <div>Hemostats</div> <div>Scalpel</div> <div>Window Punch</div> <div>Antiseptic Hand Cleaner</div> <div>Exam Gloves -(1 Box)-</div> <div><u>Various Sizes</u></div> <div>Emesis Basin or Equivalent</div> <div>Commercial Tourniquet</div> <div><u>Linens</u><u>Blankets</u></div> <div>SheetsTowels<u>Time Critical Diagnosis Bands (i.e.</u></div> <div><u>Stroke, Trauma)</u></div> <div><u>Triage Tags / Tape</u></div>		<div>Magill Forceps Adult (1) Pediatric (1)</div> <div>ET Stylette Adult (2) Pediatric (2)</div> <div>ETCO₂ Detector Adult (1) Pediatric (1)</div> <div>(Colorimetric or quantitative)</div> <div>Pediatric Drug Tape, Chart or Wheel (1)</div> <div>Pediatric Defibrillator Pads/Paddles (1 set)</div> <div>Adult Defibrillator Pads/Paddles (1 set)</div> <div><u>12 lead</u> Cardiac Monitor / Defibrillator/ Pacer</div> <div>(1)</div> <div>ECG Cables (2 sets)</div> <div>ECG Paper (2)</div> <div>Electrodes Adult (6 SETS) Pediatric (2 SETS)</div> <div>Pulse Oximetry Device (1)</div> <div>Pulse Oximetry Probes Adult (1) Pediatric</div> <div>(1)-B/P Cuffs -Lg. Adult / Adult / Child / Infant</div> <div>Stethoscope</div> <div><u>Hypoallergenic</u> Tape <u>1 inch and 2 inch</u> (4)</div> <div>(hypoallergenic and non-latex)</div> <div>Occlusive Dressing or supplies (2)</div> <div>Thermometer (measuring a range of 86° - 105° F)</div> <div>Lubricating Jelly</div> <div>Sharps Container</div>	
MECHANICAL		OXYGEN AND RELATED SUPPLIES	
<div>Fire Extinguisher(s)</div> <div>(1) HAZ-MAT Reference Guide</div> <div>Reflective Safety Wear Flashlight</div> <div><u>and Batteries</u></div> <div>(Only if not rechargeable)-</div> <div>N95 or N100 Respirator Trauma-</div> <div>Bands</div> <div>Triage Tags/Tape Protocol Book</div> <div>(electronic or print)</div> <div>Bio-Hazard Bags</div> <div>Disinfectant solution</div>	<div>OXYGEN</div> <div>Main and Portable O₂</div> <div>OPA SET</div> <div>NPA Set</div> <div>Nasal Cannulas</div> <div> </div> <div>O₂ MASKS</div> <div>Non-Rebreather (2)</div> <div>Pediatric (2)</div> <div>Infant (4)</div>	<div>BVM</div> <div>Adult</div> <div>(2) >1000ml</div> <div>Pediatric</div> <div>(1) 450-750ml</div> <div> </div> <div><u>Nebulizer Kit (1)</u></div> <div><u>Sterile Saline</u></div>	<div>Suction</div> <div>Portable Unit (1)</div> <div>On-Board Unit (1)</div> <div>Suction Tubing (2)</div> <div> </div> <div>Suction Catheters</div> <div>Size 8fr. - 18fr.</div> <div><u>*Age/Size appropriate</u></div> <div>or 10fr. (1)</div> <div>Size 12 fr. (1)</div> <div>Size 14fr or 18fr (1)</div>
AIRWAY ADJUNCTS AND TRANSPORT			
<div>Esophageal Tracheal Multi-Lumen Airway (1)</div> <div>and Supraglottic Airway (Pediatric)-</div> <div>or Supraglottic Airways (Adult and Pediatric)</div> <div>Laryngoscope Handles - (1) Adult (1) Pediatric</div> <div>Laryngoscope Blades (1-4 OR 0-3) (1ea)</div> <div>ET Tubes Sizes</div> <div>Pediatric Tube Sizes (1 of each) that</div> <div>correspond to the required Pediatric Drug Tape,</div> <div>Chart or Wheel</div> <div>6.5 mm (1)</div> <div>7.5 mm (2)</div> <div>CRIC KIT or 10/12ga Needle (1)</div> <div>*ET Tube Holders Adult (1) and Pediatric (1)</div> <div>* Commercial Style</div>	<div>Immobilization</div> <div>KED® XP-1® or equivalent</div> <div>Pediatric Restraint System</div> <div>Spine board and Straps (3)</div> <div>(2- Adult and 1- Pediatric)</div> <div> </div> <div>CERVICAL COLLARS</div> <div>Adult (3)</div> <div>Pediatric (2)</div> <div>Infant (1)</div> <div>May substitute: 3-adult-adjustable</div> <div>and 2-pediatric-adjustable</div> <div> </div> <div><u>Various adjustable</u></div> <div><u>Splints</u>SPLINTS</div>	<div>STRETCHERS</div> <div>Folding Stretcher and/or</div> <div>Scoop Stretcher and/or</div> <div>Stair Chair or Similar Device</div> <div>(1 of the above)</div> <div> </div> <div>Elevating Stretcher (1)</div>	

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED PARAMEDIC EQUIPMENT LIST

IV SUPPLIES, ~~and~~ ACCESS DEVICES AND MEDICATIONS

Micro Drip Infusion Sets ~~(2)~~ and
Macro Drip Infusion Sets ~~(2)~~ or
Adjustable Drip Sets ~~(4)~~ ~~(These can be used in place of Micro/Macro Sets)~~
~~0.9% Saline Solution (4L)~~
~~Ringers Lactate Crystalloid Solutions (4L)~~
~~IV~~
Start Sets / Tourniquet
~~(6)~~
Powered and/or Manual IO Access Device
IO Needles - Adult and Pediatric

IV Catheters -
14-24 gauge

~~IO Needles / Drill (Tibial & Humerus Access Only)-~~
~~Adult (2)~~
~~Pediatric (2)~~
Powered and/or Manual IO Access Device

Syringes and Needles

~~1cc (1)~~
~~3 or 5cc (3)~~
~~10 or 12cc (3)~~
~~60cc (1)~~ Assorted sizes 1cc – 60cc
Assorted needle sizes 18G - 25G
10, 12 or 14 gauge catheter ~~(2)~~ (3.25 inches in length, A commercial chest decompression device can be substituted for the above)

**MEDICATIONS (Injectable, Oral, Intranasal, Intravenous Infusions, Inhaled Meds)

Atropine ~~minimum 4 mg-~~
Adenosine
Antiarrhythmic (Bolus and Infusion) Antiemetic agent
Aspirin 81-325mg
~~Dextrose 50% minimum 100 ml IV Dextrose~~
Diuretic
Pressor Agent
Dopamine Drip
Epinephrine 1:10,000 ~~minimum 5 mg~~
Epinephrine 1:1000 ~~minimum 3 mg~~
All medications that adhere to AHA ACLS Guidelines

H1 Blocking Agent
Inhaled Beta Agonist
Magnesium Sulfate - optional
Narcotic Antagonist
Narcotic Analgesic
Nitroglycerine (Sub-
Lingual drip/oral/transdermal)
Sodium Bicarbonate
~~*Vasopressor (40 Units minimum)~~
~~* Not required but minimum if carried~~

REQUIRED CONTROLLED DRUG

Must follow Ambulance Service's Controlled Drug Policy on file with the Section of EMS

Injectable Narcotic analgesic
~~-Benzodiazepine~~

Additional controlled substances at the medical director's discretion

Optional Equipment

Continuous Positive Airway Pressure (CPAP) Central Venous Device Access
Huber Needles Cardiac Thrombolytic Medications

Additional equipment may be carried at the medical director's discretion

Radio Frequencies

Radio Frequencies:

Enroute to scene: 155.235 mHz
At scene: 155.280 mHz.
Departing scene: 155.340 mHz.
AWIN Radio

Services must have all equipment and/or medications listed as a part of the service's written protocols/guidelines and must not exceed the EMSP's scope of practice.** Services carrying equipment and/or medications not listed above must have those items listed as a part of the services written protocols and must not exceed the EMSP's scope of practice.

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED ADVANCED EMT EQUIPMENT LIST

Minimum Required Equipment list and Quantity (Advanced)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
4X4 Pads (6) ABD Pads (2) Trauma Dressing (2) Isolation Kits (2) Roller Gauze (6) Triangular bandages OB Kit (1) - must contain Bulb syringe Betadine Solution (1 Bottle) or swabs <u>Sterile Saline</u> Bandage / EMT Shears Hemostat Window Punch Antiseptic Hand Cleaner Exam Gloves - <u>Various Sizes</u> (1 Box) Emesis Basin or Equivalent Commercial Tourniquet Magill Forceps - Adult (1) Pediatric (1) <u>Time Critical Diagnosis Bands (i.e. Stroke, Trauma)</u> <u>Triage Tags / Tape</u>		Blankets- Sheets- Towels <u>Linens</u> Pediatric Drug Tape, Chart or Wheel (1) Automatic External Defibrillator (AED) Adult Pads (2 sets) Pediatric Pads (2 sets) Pulse Oximetry Device (1) Pulse Oximetry Probes - Adult <u>Pediatric</u> (1) Pediatric (1) B/P Cuff - Lg. Adult / Adult / Child / Infant Stethoscope <u>Hypoallergenic</u> Tape 1 inch and 2 inch (4) (hypoallergenic and non-latex) Occlusive Dressing or supplies (2) Thermometer (measuring a range of 86° - 105° F) Lubricating Jelly Sharps Container Glucometer and Glucose measuring strips	
MECHANICAL		OXYGEN AND RELATED SUPPLIES	
Fire Extinguisher(s) (1) HAZ-MAT Reference Guide Reflective Safety Wear Flashlight and Batteries (Only if not rechargeable)- N95 or N100 Respirator Trauma Bands Triage Tags/Tape Protocol Book <u>(electronic or print)</u> Bio-Hazard Bags Disinfectant solution		OXYGEN Main and Portable O ₂ OPA SET NPAs Set Nasal Cannula S (Adult and Pediatric) MASKS Non-Rebreather (2) Pediatric (2) Infant (1) <u>Nebulizer</u>	BVM Adult (2) >1000ml Pedi (1) 450-750ml Nebulizer (1) Sterile Saline
			Suction Portable Unit (1) On-Board Unit (1) Suction Tubing (2) Catheters <u>Size 8fr. - 18fr.</u> <u>*Age/Size appropriate</u> Size 8fr. or 10fr. (1) Size 12 fr. (1) Size 14fr or 18fr (1)
AIRWAY ADJUNCTS AND TRANSPORT			
<u>Supraglottic Airways</u> <u>(Adult and Pediatric)</u> Esophageal Tracheal Multi-Lumen Airway (1)		Immobilization KED® XP-1® or equivalent Spine board and Straps (2) Pediatric Restraint System Head immobilization device (Adult and Pediatric- Towel Rolls are acceptable, Sand Bags are not) CERVIAL COLLARS Adult (3) Pediatric (2) Infant (1) May substitute: 3-adult-adjustable and 2-pediatric-adjustable SPLINTS Set of padded extremity splints or acceptable substitute (vacuum splints, etc.) Traction Splints (1)	STRETCHERS Folding Stretcher and/or Scoop Stretcher and/or Stair Chair or Similar Device (1 of the above) Elevating Stretcher (1)

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED ADVANCED EMT EQUIPMENT LIST

IV SUPPLIES and ACCESS DEVICES

Micro Drip Infusion Sets **(2)** and
 Macro Drip Infusion Sets **(2)** or
 Adjustable Drip Sets **(4)** ~~(These can be used in place of Micro/Macro Sets)~~
 Crystalloid Solutions 0.9% Saline Solution **(4L)**
 Ringers Lactate **(4L)**
 IV Start Sets / Tourniquet **(6)**

IV Catheters

14 – 24 gauge ~~gauge~~ **(3)**
 16ga **(3)**
 18ga **(3)**
 20ga **(3)**
 22ga **(3)**
 24ga **(3)**

Powered and/or Manual IO Access Device

IO Needles - Adult and Pediatric
IO Needles / Drill- (Tibial & Humerus Access Only) Adult **(2)**
 Pediatric **(2)**

Powered and/or Manual IO Access Device

Syringes and Needles

Assorted sizes 1cc – 60cc

Assorted needle sizes 18G - 25G

10, 12 or 14 gauge catheter (3.25 inches in length. A commercial chest decompression device can be substituted for the above) 1cc **(1)**

3 or 5cc **(3)**

10 or 12cc **(3)**

60cc **(1)**

MEDICATIONS

Aspirin 81-325mg

IV Dextrose ~~50%--minimum 100 ml~~

Epinephrine Auto Injectors and/or Epinephrine 1:1000

Narcotic Antagonist

Nitroglycerine (Sub-Lingual)

Inhaled Beta Antagonist

Optional Equipment

Optional Equipment:

Continuous Positive Airway Pressure (CPAP)

Radio Frequencies

Radio Frequencies:

Enroute to scene: 155.235 mHz

At scene: 155.280 mHz.

Departing scene: 155.340 mHz.

AWIN Radio

**** Services carrying equipment and/or medications not listed above must have those items listed as a part of the services written protocols and must not exceed the EMSP's scope of practice.**

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED **BASIC** EQUIPMENT LIST

Includes EMT, EMT-Volunteer, EMT-Specialty

Minimum Required Equipment list and Quantity (BASIC)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
<div>4X4 Pads (6)</div> <div>ABD Pads (2)</div> <div>Trauma Dressing (2)</div> <div>Isolation Kit (2)</div> <div>Roller Gauze (6)</div> <div>Triangular bandages</div> <div>OB Kit (1) - must contain Bulb syringe</div> <div>Betadine Solution (1 Bottle) or swabs</div> <div>Bandage / EMT Shears</div> <div>Hemostat</div> <div>Window Punch</div> <div>Antiseptic Hand Cleaner Exam</div> <div>Gloves - <u>Various sizes</u> (1 Box)</div> <div>Emesis Basin or Equivalent</div> <div>Commercial Tourniquet</div> <div>Blankets</div> <div>Sheets <u>Towels</u> <u>Linens</u></div>		<div>Pediatric Drug Tape, Chart or Wheel (1)</div> <div>Automated External Defibrillator</div> <div>AED Pads - Adult (2-SETS) Pediatric (2-SETS)</div> <div>-B/P Cuff - Lg. Adult / Adult / Child / Infant</div> <div>Stethoscope (Suitable for adults and pediatrics)</div> <div><u>Hypoallergenic</u> Tape <u>1 inch and 2 inch</u> (4) - (hypoallergenic and non-latex)</div> <div>Occlusive Dressing (2)</div> <div>Thermometer (Range of 86° - 105° F)</div> <div>Lubricating Jelly</div> <div>Emesis Basin or Equivalent</div> <div>Sterile Saline</div> <div>SERVICES GIVING MEDICATIONS ARE REQUIRED TO HAVE THE FOLLOWING:</div> <div><div>Glucometer and Glucose measuring strips</div><div>Pulse Oximetry Device (1)</div><div>Pulse Oximetry Probes - Adult <u>and Pediatric</u> (1) - Pediatric (1)</div><div>Sharps Container</div></div>	
OPERATIONS		OXYGEN AND RELATED SUPPLIES	
<div>Fire Extinguisher (1)</div> <div>HAZ-MAT Reference Guide</div> <div>Reflective Safety Wear</div> <div>Flashlight and Batteries</div> <div>(Only if not rechargeable) N95 or N100 Respirator</div> <div><u>Time Critical Diagnosis Bands</u> <u>(i.e. Stroke, Trauma)</u> Trauma Bands</div> <div>Triage Tags/Tape</div> <div>Protocol Book <u>(electronic or print)</u></div>	<div>OXYGEN</div> <div>MAIN O₂</div> <div>Portable O₂</div> <div>OPA SET</div> <div>NPA Set</div> <div>Nasal Cannula (Adult and Pediatric)</div> <div>MASKS</div> <div>Non-Rebreather (2)</div> <div>Pediatric (2)</div> <div>Infant (1)</div>	<div>BVM</div> <div>Adult (2) <u>>1000ml</u></div> <div>Pedi (1) <u>4-5-0-750ml</u></div> <div>Infant (1) <u>150-300ml</u></div> <div><div>Lubricating jelly</div></div>	<div>Suction</div> <div>Portable Unit (1)</div> <div>On-Board Unit (1)</div> <div>Suction Tubing (2)</div> <div>Catheters</div> <div><u>Size 8fr. - 18fr.</u></div> <div><u>*Age/Size appropriate</u> <u>Size 8fr. or 10fr.</u> (1)</div> <div><u>Size 12fr.</u></div> <div><u>Size 14fr or 18fr</u> (2ea)</div>
SPLINTING AND TRANSPORT			
<div>Immobilization Devices KED®</div> <div>XP-1® or equivalent Spine board and Straps (2)</div> <div>Pediatric Restraint System</div> <div>Head immobilization device (Adult and Pediatric - Towel Rolls are acceptable, Sand Bags are not)</div> <div>CERVICAL COLLARS</div> <div>Adult (3), Pediatric (2), Infant (1)</div> <div>May substitute: 3 adult-adjustable and 2 pediatric-adjustable</div>		<div>(1) of the following:</div> <div>Folding Stretcher and/or Scoop Stretcher and/or Stair Chair or Similar Device</div> <div>Elevating Stretcher (1)</div> <div>SPLINTS</div> <div>Set of padded extremity splints or acceptable substitute (vacuum splints, etc.)</div> <div>Traction Splints (1)</div>	
**MEDICATIONS (Injectable, Oral, Intranasal, Intravenous Infusions, Inhaled Meds)			
<div>Aspirin 81-325mg / Oral Glucose / Epinephrine Auto Injector / Inhaled Beta Antagonist</div> <div>**If service chooses to administer medications.</div>			

SECTION OF EMERGENCY MEDICAL SERVICES
MINIMUM REQUIRED **BASIC** EQUIPMENT LIST
Includes EMT, EMT-Volunteer, EMT-Specialty

Optional Equipment

Optional Equipment:

Radio Frequencies

Radio Frequencies:

Enroute to scene: 155.235 mHz

At scene: 155.280 mHz.

Departing scene: 155.340 mHz.

AVIN Radio

Marked-Up Copy

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED ADVANCED RESPONSE EQUIPMENT LIST

Minimum Required Equipment list and Quantity (Advanced Response)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
4X4 Pads (6) ABD Pads (2) Trauma Dressing (2) Isolation Kits (2) Roller Gauze (6) Triangular bandages OB Kit (4) - must contain Bulb S syringe Betadine Solution (1 Bottle) or swabs Bandage / EMT Shears Hemostat Scalpel Window Punch Antiseptic Hand Cleaner Exam Gloves - <u>Various sizes</u> (1-Box) Emesis Basin or Equivalent Commercial Tourniquet Sheets- <u>Towels</u> <u>Linens</u> <u>Time Critical Diagnosis Bands</u> <u>(i.e. Stroke, Trauma)</u>		Magill Forceps - Adult (4) <u>Pediatric (4)</u> ET Stylette - Adult (2) <u>Pediatric (2)</u> ETCO ₂ Detector- Adult (4) <u>Pediatric (4)</u> (Colorimetric or quantitative) Pediatric Drug Tape, Chart or Wheel (4) Pediatric Defibrillator Pads/Paddles (1 set) Adult Defibrillator Pads/Paddles (1 set) <u>12 lead</u> Cardiac Monitor / Defibrillator/ Pacer (4) ECG Cables (2 sets) ECG Paper (2) Electrodes Adult (6 SETS) <u>Pediatric (2 SETS)</u> Pulse Oximetry Device (4) Pulse Oximetry Probes - <u>Adult / Pediatric</u> (4) Pediatric (4) B/P Cuff - Lg. Adult / Adult / Child / Infant Stethoscope <u>Hypoallergenic</u> Tape <u>1 inch and 2 inch (4)</u> (hypoallergenic and non-latex) Occlusive Dressing or supplies (2) Thermometer (measuring a range of 86° - 105° F) Lubricating Jelly Sharps Container Glucometer and Glucose measuring strips	
MECHANICAL	OXYGEN	OXYGEN AND RELATED SUPPLIES	
Fire Extinguisher (s) (4) HAZ-MAT Reference Guide Reflective Safety Wear Flashlight and Batteries (Only if not rechargeable) N95 or N100 Respirator Triage Tags/Tape Protocol Book (electronic or print Bio-Hazard Bags Disinfectant solution	OXYGEN Portable O ₂ OPA SET NPA Set Nasal Cannula (Adult and Pediatric) MASKS Non-Rebreather (2) Pediatric (2) Infant (4)	BVM Adult Pedi Infant Nebulizer Kit Sterile Saline	Suction Portable Unit Suction Tubing Catheters <u>Size 8fr. – 18fr.</u> <u>*Age/Size</u> <u>appropriate</u> Rigid Suction Tip
AIRWAY SUPPLIES		SPLINTING AND TRANSPORT	
Esophageal Tracheal Multi-Lumen Airway (1) and Supraglottic Airway (Pediatric) or Supraglottic Airways (Adult and Pediatric) Laryngoscope Handles - (1) Adult and (1) Pediatric Laryngoscope Blades (1-4 OR 0-3) (1ea) ET Tubes Sizes Pediatric Tube Sizes (1 of each) that correspond to the required Pediatric Drug Tape, Chart or Wheel 6.5 mm (4) 7.5 mm (2) CRIC KIT or 10/12ga Needle (4) *ET Tube Holders Adult (4) and Pediatric (4) * Commercial Style		Immobilization KED® XP-1® or equivalent CERVIAL COLLARS Adult (3) Pediatric (2) Infant (4) May substitute: 3-adult-adjustable and 2-pediatric-adjustable SPLINTS Set of padded extremity splints or acceptable substitute (vacuum splints, etc.) Traction Splits (4)	

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED ADVANCED RESPONSE EQUIPMENT LIST

IV SUPPLIES and ACCESS DEVICES

Micro Drip Infusion Sets ~~(2)~~ and
Macro Drip Infusion Sets ~~(2)~~ or
Adjustable Drip Sets ~~(4)~~ (These can be used in place
of Micro/Macro Sets)
~~Crystalloid Solutions 0.9% Saline Solution (4L)~~
~~Ringers Lactate (4L)~~
IV Start Sets / Tourniquet ~~(6)~~

IV Catheters

14 – 24 ~~Gauge~~ Gauge ga ~~(3)~~
16ga ~~(3)~~
18ga ~~(3)~~
20ga ~~(3)~~
22ga ~~(3)~~
24ga ~~(3)~~

IO Needles / Drill (Tibial & Humerus Access Only)
Adult ~~(2)~~
Pediatric ~~(2)~~

Powered and/or Manual IO Access Device

Syringes and Needles

Assorted sizes 1cc – 60cc
Assorted needle sizes 18G - 25G
10, 12 or 14 gauge catheter (3.25 inches in length, A
commercial chest decompression device can be
substituted for the above) **Syringes and Needles**
1cc ~~(1)~~
3 or 5cc ~~(3)~~
10 or 12cc ~~(3)~~
60cc ~~(1)~~
~~Assorted needle sizes 18G – 25G~~

**MEDICATIONS (Injectable, Oral, Intranasal, Intravenous Infusions, Inhaled Meds)

Atropine ~~minimum 4 mg~~
Adenosine
Antiarrhythmic (Bolus and Infusion)
Antiemetic agent
Aspirin 81-325mg
~~Dextrose 50% minimum 100 ml IV~~
~~Dextrose~~
Diuretic
Pressor Agent
~~Dopamine Drip~~
Epinephrine 1:10,000 ~~minimum 5 mg~~
Epinephrine 1:1000 ~~minimum 3 mg~~

H1 Blocking Agent Inhaled
Beta Agonist
Magnesium Sulfate ~~optional~~
Narcotic Antagonist
Nitroglycerine (drip, oral and transdermal)
Sodium Bicarbonate
** All medications that adhere to current AHA guidelines**

Optional Equipment

~~Optional Equipment:~~

Narcotic Analgesic*

***Must follow Ambulance Service's Controlled Drug Policy on file with the Section of EMS**

Continuous Positive Airway Pressure (CPAP)
Huber Needles

Central Venous Device Access
Cardiac Thrombolytic Medications

Additional controlled substances at the medical director's discretion

Radio Frequencies

Radio Frequencies:

Enroute to scene: 155.235 mHz
At scene: 155.280 mHz.
Departing scene: 155.340 mHz.
AWIN Radio

**** Services carrying equipment and/or medications not listed above must have those items listed as a part of the services written protocols and must not exceed the EMSP's scope of practice.**

SECTION OF EMERGENCY MEDICAL SERVICES REQUIRED **STRETCHER AMBULANCE** EQUIPMENT LIST

Minimum Required Equipment list and Quantity (Stretcher)		
SOFT SUPPLIES AND OTHER EQUIPMENT		
4X4 Pads (6) ABD Pads (2) Isolation Kit (4) Roller Gauze (6) Bandage / EMT Shears Antiseptic Hand Cleaner Exam Gloves (1 Box) <u>Various Sizes</u>	Automated External Defibrillator AED Pads - Adult (2 SETS) / Pediatric (2 SETS) B/P Cuff - Lg. Adult / Adult / Child / Infant Stethoscope <u>Hypoallergenic</u> Tape 1 inch and 2 inch (2) (hypoallergenic and non-latex) Emesis Basin or Equivalent Blankets Sheets <u>Towels</u> <u>Linens</u>	
MECHANICAL	OXYGEN AND RELATED SUPPLIES	
Fire Extinguisher(s) (1) Flashlight and Batteries (Only if not rechargeable)	OXYGEN OPA SET Nasal Cannula (2) MASKS Non-Rebreather (2) Pediatric (2) Infant (2)	BVM Adult (2) >1000ml NPA (Various Sizes) Adult
SPLINTING AND TRANSPORT		
Elevating Stretcher (4)		
Radio Frequencies		
Radio Frequencies: Enroute to scene: 155.235 mHz At scene: 155.280 mHz. Departing scene: 155.340 mHz. <u>AWIN Radio</u>		

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED Air Ambulance – Rotor--Wing EQUIPMENT LIST

Minimum Required Equipment list and Quantity (Air Ambulance)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
4X4 Pads (6) ABD Pads (2) Trauma Dressing (2) Isolation Kits (2) Roller Gauze (6) Triangular bandages OB Kit (4) - must contain Bulb syringe Betadine Solution (1 Bottle) or swabs Bandage / EMT Shears Hemostat Scalpel Window Punch Antiseptic Hand Cleaner Exam Gloves - Various Sizes Emesis Basin or Equivalent Commercial Tourniquet Blankets Sheets Towels Linens Appropriate survival kit or supplies		Magill Forceps - Adult (1) / Pediatric (1) ET Stylette - Adult (2) / Pediatric (2) ETCO ₂ Detector- Adult (4) / Pediatric (4) (Colorimetric or quantitative) Pediatric Drug Tape, Chart or Wheel (4) Pediatric Defibrillator Pads/Paddles (4 set) Adult Defibrillator Pads/Paddles (4 set) 12 lead Cardiac Monitor / Defibrillator/ Pacer (4) ECG Cables (2 sets) ECG Paper (2) Electrodes Adult (3 SETS) / Pediatric (2 SETS) Pulse Oximetry Device (4) Pulse Oximetry Probes - Adult (4) Pediatric (4)/Pediatric B/P Cuff - Lg. Adult / Adult / Child / Infant Stethoscope Hypoallergenic Tape 1 inch and 2 inch (4) (hypoallergenic and non-latex) Occlusive Dressing or supplies (2) Thermometer (measuring a range of 86° - 105° F)	
MECHANICAL		OXYGEN AND RELATED SUPPLIES	
Fire Extinguisher HAZ-MAT Reference Guide Reflective Safety Wear Flashlight N95 or N100 Respirator Time Critical Diagnosis Bands (i.e. Stroke, Trauma) Triage Tags/Tape Protocol Book (electronic or print)	OXYGEN Main and Portable O ₂ OPA SET NPA Set Nasal Cannula (Adult and Pediatric) MASKS Non-Rebreather Pediatric Infant	BVM Adult Pedi Infant	Suction Portable Unit On-Board Unit Suction Tubing
		Nebulizer Kit	Catheters Size 8fr. – 18fr. *Age/Size appropriate Rigid Suction Tip
AIRWAY SUPPLIES		SPLINTING AND TRANSPORT	
Esophageal Tracheal Multi-Lumen Airway (1) and Supraglottic Airway (Pediatric) or Supraglottic Airways (Adult and Pediatric) Laryngoscope Handles - (1) Adult (1) / Pediatric Laryngoscope Blades (1-4 OR 0-3) (4ea) ET Tubes Sizes 6.5 mm (4) 7.5 mm (2) CRIC KIT or 10/12ga Needle (4) *ET Tube Holders Adult (4) and Pediatric (4) * Commercial Style		Immobilization Pediatric Restraint System CERVIAL COLLARS Adult (2) Pediatric (4) Infant (4) May substitute: 2 adult-adjustable and 4 pediatric-adjustable	STRETCHERS FAA Approved attachment for stretcher/litter system.

SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED Air Ambulance – Rotor-Wing EQUIPMENT LIST

IV SUPPLIES and ACCESS DEVICES

Micro Drip Infusion Sets ~~(2)~~ and
Macro Drip Infusion Sets ~~(2)~~ or
Adjustable Drip Sets ~~(4)~~ (These can be used in place
of Micro/Macro Sets)
~~Crystalloid Solutions 0.9% Saline Solution (2L)~~
~~Ringers Lactate (2L)~~
IV Start Sets / Tourniquet ~~(3)~~

IV Catheters

14 – 24 ~~Gauge~~ Gauge ga ~~(3)~~
16ga ~~(3)~~
18ga ~~(3)~~
20ga ~~(3)~~
22ga ~~(3)~~
24ga ~~(3)~~

IO Needles / Drill (Tibial & Humerus Access Only)
Adult ~~(2)~~
Pediatric ~~(2)~~

Powered and/or Manual IO Access Device

Syringes and Needles

Assorted sizes 1cc – 60cc

Assorted needle sizes 18G - 25G

~~1cc (1)~~

~~3 or 5cc (3)~~

~~10 or 12cc (3)~~

~~60cc (1)~~

10, 12 or 14 gauge catheter ~~(2)~~ (3.25 inches in length, A
commercial chest decompression device can be substituted for
the above)

MAST TROUSERS (1) **** Mast trousers to be carried and/or used at medical director's discretion, not a Required Item**

****MEDICATIONS (Injectable, Oral, Intranasal, Intravenous Infusions, Inhaled Meds)**

Atropine ~~minimum 4 mg~~
Adenosine
Antiarrhythmic (Bolus and Infusion)
Antiemetic agent
Aspirin 81-325mg
~~Dextrose 50% minimum 100 ml IV~~
~~Dextrose~~
Diuretic
~~Pressor Agent~~
~~Dopamine Drip~~
Epinephrine 1:10,000 ~~minimum 5 mg~~
Epinephrine 1:1000 ~~minimum 3 mg~~

H1 Blocking Agent Inhaled
Beta Agonist
Magnesium Sulfate - optional
Narcotic Antagonist
Narcotic Analgesic
Nitroglycerine
(drip/oral/transdermal Sub-Lingual)
Sodium Bicarbonate
~~*Vasopression (40 Units minimum)~~
~~* Not required but minimum if carried~~

Including all Advanced Cardiac Life Support Medications not
listed **All medications that adhere to current AHA

REQUIRED CONTROLLED DRUG

Must follow Ambulance Service's Controlled Drug Policy on file with the Section of EMS

Injectable Narcotic analgesic
Benzodiazepine

Additional controlled substances at the medical directors discretion

Aircraft Specific

Loading doors that allow safe handling of patient without unnecessary rotation or elevation.
Lighting that is isolated from the pilot compartment.
Patient stretcher or litter is sufficiently isolated from the pilot to prevent interference with the operation of the aircraft.
Headset communication between pilot and aircrew
Litters, equipment, and attendant seats are arranged to allow rapid egress from the aircraft.

Radio Frequencies

Radio Frequencies:

Enroute to scene: 155.235 mHz

At scene: 155.280 mHz.

Departing scene: 155.340 mHz.

**** Services carrying equipment and/or medications not listed above must have those items listed as a part of the services written protocols and must not exceed the EMSP's scope of practice.**



SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED EQUIPMENT LIST Air Ambulance - Fixed-Wing

Minimum Required Equipment list and Quantity (Air Ambulance)			
SOFT SUPPLIES AND OTHER EQUIPMENT			
4X4 Pads (6) ABD Pads (2) Trauma Dressing (2) Isolation Kits (2) Roller Gauze (3) Bandage / EMT Shears Hemostat Scalpel Antiseptic Hand Cleaner Exam Gloves <u>-Various Sizes</u> Emesis Basin or Equivalent Blankets- Sheets/- Pillow Linens Sharps Container Appropriate survival kit or supplies Magill Forceps - Adult (1) <u>Pediatric (1)</u>		Magill Forceps - Adult (1) <u>Pediatric (1)</u> ET Stylette - Adult (2) <u>Pediatric (2)</u> ETCO ₂ Detector- Adult (1) <u>Pediatric (1)</u> (Colorimetric or quantitative) Pediatric Drug Tape, Chart or Wheel (1) Pediatric Defibrillator Pads/Paddles (1 set) Adult Defibrillator Pads/Paddles (1 set) <u>12 lead</u> Cardiac Monitor / Defibrillator/ Pacer (1) ECG Cables (2 sets) ECG Paper (2) Electrodes Adult (3 Sets) <u>Pediatric (2 Sets)</u> Pulse Oximetry Device (1) Pulse Oximetry Probes - Adult (1) <u>Pediatric (1)</u> <u>Pediatric</u> B/P Cuff - Lg. Adult / Adult / Child / Infant Stethoscope <u>Hypoallergenic</u> Tape 1 inch and 2 inch (4) (hypoallergenic and non-latex) Thermometer (measuring a range of 86° - 105° F) Lubricating Jelly	
OPERATIONS		OXYGEN AND RELATED SUPPLIES	
Fire Extinguisher (s) HAZ-MAT Reference <u>GUIDE</u> <u>Guide</u> N95 or N100 Respirator Protocol Book <u>(electronic or print)</u> Bio-Hazard Bags Disinfectant solution		OXYGEN Portable O ₂ OPA SET NPA Set Nasal Cannula (Adult and Pediatric) MASKS Non-Rebreather (2) Pediatric (2) Infant (1)	BVM Adult (2) <u>>1000ml</u> Pedi (1) <u>4-5-0-750ml</u> Infant (1) <u>150-300ml</u> Nebulizer Kit (1)
			Suction Portable Unit (1) Suction Tubing (2) Catheters <u>Size 8fr. - 18fr.</u> <u>*Age/Size</u> <u>appropriate</u> <u>Size 8fr. or</u> <u>10fr. (1)</u> <u>Size 12 fr. (1)</u>
AIRWAY SUPPLIES		SPLINTING AND TRANSPORT	

~~Esophageal Tracheal Multi-Lumen Airway (1) and
Supraglottic Airway (Pediatric)~~

~~or~~ Supraglottic Airways (Adult and Pediatric)

Laryngoscope Handles - (1) Adult (1) Pediatric

Laryngoscope Blades (1 4 OR 0-3) (1ea)

ET Tubes Sizes

Pediatric Tube Sizes (1 of each) that correspond to the required
Pediatric Drug Tape, Chart or Wheel

6.5 mm (1)

7.5 mm (2)

CRIC KIT or 10/12ga Needle (1)

*ET Tube Holders Adult (1) and Pediatric (1)

* Commercial Style

FAA Approved attachment for stretcher/litter system.

Marked-Up Copy



SECTION OF EMERGENCY MEDICAL SERVICES

MINIMUM REQUIRED EQUIPMENT LIST Air Ambulance - Fixed-Wing

IV SUPPLIES and ACCESS DEVICES

Micro Drip Infusion Sets ~~(2)~~ and
Macro Drip Infusion Sets ~~(2)~~ or
Adjustable Drip Sets ~~(4)~~ (These can be used in place
of Micro/Macro Sets)
~~Crystalloid Solutions 0.9% Saline Solution (2L)~~
~~Ringers Lactate (2L)~~
IV Start Sets / Tourniquet ~~(3)~~

IV Catheters

14ga - ~~24 Gauge~~ ~~Gauge~~ ~~(3)~~
~~16ga (3)~~
~~18ga (3)~~
~~20ga (3)~~
~~22ga (3)~~
~~24ga (3)~~

IO Needles / Drill (Tibial & Humerus Access Only)
Adult ~~(2)~~

Pediatric ~~(2)~~

Powered and/or Manual IO Access Device

Syringes and Needles

~~Assorted sizes 1cc - 60cc~~ ~~1cc (1)~~

~~3 or 5cc (3)~~

~~10 or 12cc (3)~~

~~60cc (1)~~

Assorted needle sizes 18G - 25G

10, 12 or 14 gauge catheter ~~(2)~~ (3.25 inches in length, A
commercial chest decompression device can be substituted for
the above)

**MEDICATIONS (Injectable, Oral, Intranasal, Intravenous Infusions, Inhaled Meds)

Atropine ~~minimum 4 mg~~
Adenosine
Antiarrhythmic (Bolus and Infusion)
Antiemetic agent
Aspirin 81-325mg
~~Dextrose 50% - minimum 100 ml IV~~
~~Dextrose~~
Diuretic
~~Dopamine Drip~~ ~~Pressor Agent~~
Epinephrine 1:10,000 ~~minimum 5 mg~~
Epinephrine 1:1000 ~~minimum 3 mg~~

H1 Blocking Agent Inhaled
Beta Agonist
Magnesium Sulfate ~~- optional~~
Narcotic Antagonist
Narcotic Analgesic
Nitroglycerine ~~(drip/oral/transdermal)~~
~~(Sub-Lingual)~~ Sodium Bicarbonate
~~*Vasopressin (40 Units minimum)~~
~~* Not required but minimum if carried~~
~~**All medications that adhere to current AHA~~
~~guidelines**~~

REQUIRED CONTROLLED DRUG

Must follow Ambulance Service's Controlled Drug Policy on file with the Section of EMS

Injectable Narcotic analgesic
Injectable Sedative / Hypnotic

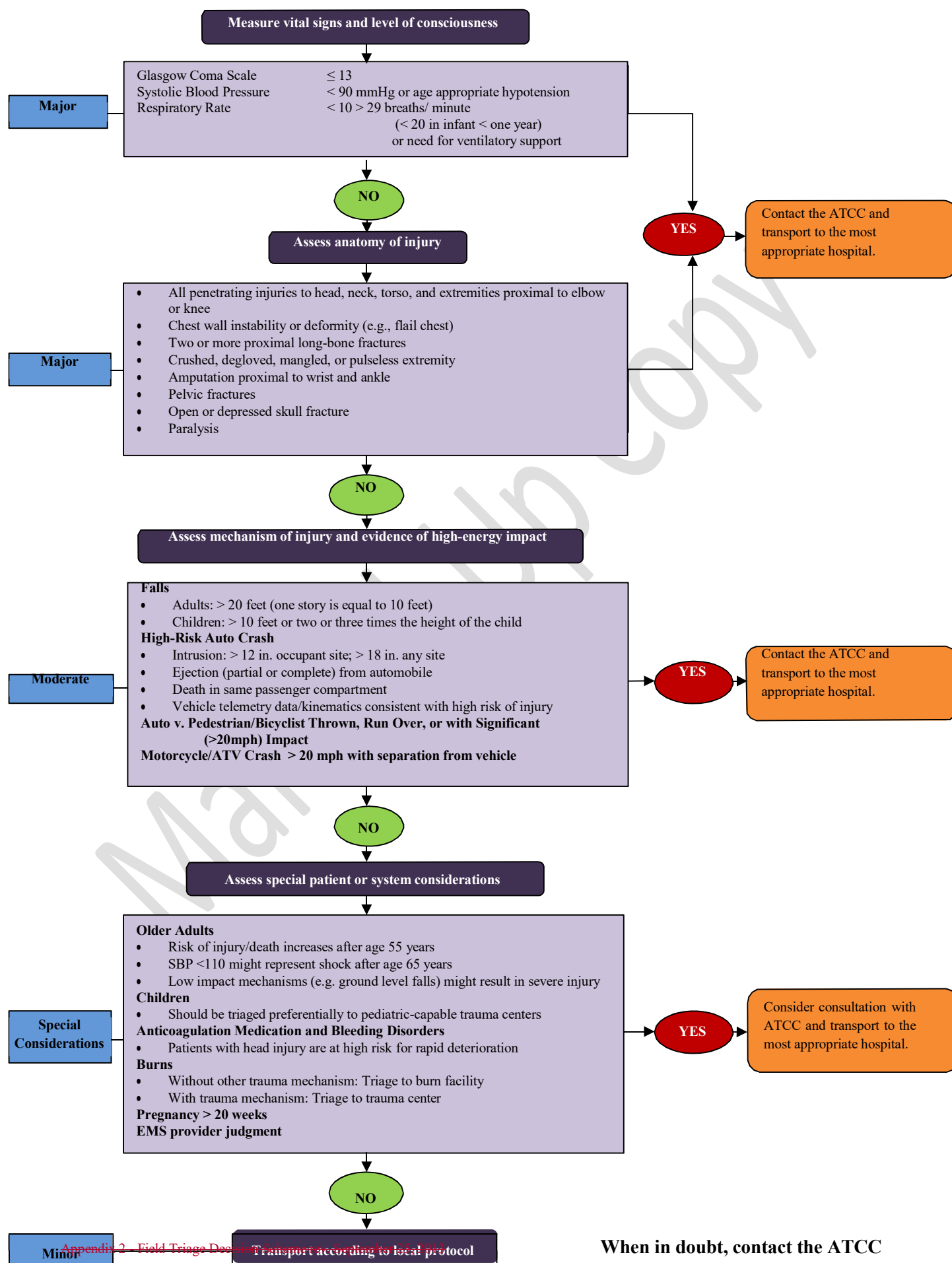
Additional controlled substances at the medical directors discretion

Aircraft Specific

Loading doors that allow safe handling of patient without unnecessary rotation or elevation.
Lighting that is isolated from the pilot compartment.
Patient stretcher or litter is sufficiently isolated from the pilot to prevent interference with the operation of the aircraft.
Litters, equipment, and attendant seats are arranged to allow rapid egress from the aircraft.

**** Services carrying equipment and/or medications not listed above must have those items listed as a part of the services written protocols and must not exceed the EMSP's scope of practice.**

Field Triage Decision Scheme: The Arkansas Trauma Triage Protocol



Detailed Experience

(Clinical phases of the Community Paramedic program shall consist of a minimum of 210 hours to include the following minimum patient contacts listed below)

1. Public Health and Collaboration – (Public Health Clinic)

- A. Must Observe **6 (six)** Immunizations in the following age categories – Adult and Pediatrics
- B. Must observe reporting of communicable diseases

2. Public Health and Collaboration – (Home Health)

All experiences within the home health setting must be completed with a Home Health Registered Nurse or other designated provider as outlined below.

- A. **6 (six)** home safety evaluation and inspections must observe and participate in. May be completed with a Physical Therapist.
- B. **20 (Twenty)** Patient contacts to include the following experiences
 - Home Health Patient Assessments - Observe and participate
 - Patient Documentation/Charting at home visits
 - Medication reconciliation with patient –Observe and participate
- C. **10 (Ten)** contacts with patients in each of the following categories:
 - CHF Assess and management plan – Observe and Participate in
 - COPD Assess and management plan – Observe and Participate in
 - Diabetic related illness issues – Participate in
 - Neurologic conditions (CVA, TBI, MS, etc) observe and participate in
 - Wound care

3. Emergency Room –

- A. Must Observe **10 (ten)** Physician/APN/PA comprehensive or focused physical exam on the following age groups:
 - Adult Patients
 - Geriatric Patients
 - Pediatric patients
- B. Must review with the Physician/APN/PA, the following:
 - **20 (twenty)** lab interpretations
 - **5 (five)** CT or MRI interpretations
 - **5 (five)** preparation instructions for CT/MRI
 - **10 (ten)** Hand Held point of care analyzer testing
 - Stitch and Staple removal- Observe and participate in
 - Cast Care and assessment – ~~e~~Observe and participate in

4. HOSPICE-

- A. **10 (ten)** home visits to include the following:

- Nursing services
- Social services
- Chaplain services

- B. **10 (ten)** patient contacts addressing palliative care and/or pain management
- C. Review **3 (three)** hospice criteria for the patient referrals
- D. **2 (two)** in-depth instructional trainings on In-home medication pump operations

5. CLINIC (any medical facility setting)

- A. **5 (five)** Urine specimen collections
- B. **5 (five)** Wound, throat, nasal, sputum or related cultures
- C. **5 (five)** Health Promotion studies education- HA1C, Cholesterol, Colonoscopy, etc.
- D. **10 (ten)** otoscope – observe and participate in use of.

6. Hospital

24 (twenty-four) hours of hospital case management to include but not limited to

- Discharge planning
- Utilization Review
- Case Management

7. Public Health Clinic

A. Individuals must observe a minimum of 8 (eight) hours in the public health setting

78. General Settings

The following can take place in any care setting to include but not limited to Emergency Department, Physical Therapy, Home Health, Public Health Clinic.

10 (ten) patient contacts involving instruction and use of crutches, wheelchairs, walkers, canes, hospital beds, Hoyer lifts, slide boards

10 (ten) uses in the access central lines, ports, ileostomies, Foley catheters, PEG tubes, wound management

****20% of the patient contacts in each of sections 2, 3, 4, & 5 may be made within an Arkansas licensed community paramedic service****

CERTIFICATION

This will certify that the foregoing Rules ~~and Regulations~~ Pertaining to Emergency Medical Services were adopted by the Arkansas State Board of Health at a regular board session held in Little Rock, Arkansas, on the ____.

Nathaniel Smith, MD, MPH
Secretary of Health, Arkansas State Board of
Health ~~Director, Arkansas Department of Health~~

~~The foregoing Rules and Regulations having been filed in my Office are hereby in compliance with the Administrative Procedures Act on this:~~

~~Asa Hutchinson Governor~~

State of Arkansas

As Engrossed: H2/13/19

92nd General Assembly

A Bill

Regular Session, 2019

HOUSE BILL 1301

By: Representative Cozart

For An Act To Be Entitled

AN ACT TO CREATE THE RED TAPE REDUCTION EXPEDITED
TEMPORARY AND PROVISIONAL LICENSURE ACT; TO AUTHORIZE
OCCUPATIONAL LICENSING ENTITIES TO GRANT EXPEDITED
TEMPORARY AND PROVISIONAL LICENSING FOR CERTAIN
INDIVIDUALS; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE RED TAPE REDUCTION
EXPEDITED TEMPORARY AND PROVISIONAL
LICENSURE ACT; TO AUTHORIZE OCCUPATIONAL
LICENSING ENTITIES TO GRANT EXPEDITED
TEMPORARY AND PROVISIONAL LICENSING FOR
CERTAIN INDIVIDUALS.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Red Tape Reduction
Expedited Temporary and Provisional Licensure Act."

SECTION 2. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Arkansas is taking a leading role in the nationwide pursuit
of reforms to the system of occupational licensing;

(2) Arkansas became one (1) of eleven (11) states chosen to
participate in the Occupational Licensing Policy Learning Consortium, an
initiative funded by a grant from the United States Department of Labor and



1 supported in partnership with the National Conference of State Legislatures,
2 the Council of State Governments, and the National Governors Association;

3 (3) Governor Asa Hutchinson appointed seventeen (17) individuals
4 to the Red Tape Reduction Working Group to review and address occupational
5 licensing regulations that create unnecessary barriers to labor market entry;
6 and

7 (4) The Red Tape Reduction Working Group issued a final report
8 to the Governor in the fall of 2018 with five (5) recommendations for
9 substantive legislative reform, which are to:

10 (A) Establish an expedited procedure for occupational
11 licensing entities to collectively submit administrative rules that are
12 responsive to new legislation;

13 (B) Extend Acts 2017, No. 781, to allow repeal of
14 subsections of rules;

15 (C) Establish provisions to allow certain agencies to
16 consider occupational relevance with regard to criminal background issues;

17 (D) Authorize occupational licensing entities to identify
18 types of individuals or entities that may be issued temporary or provisional
19 licenses; and

20 (E) Establish a systematic process for review of:

21 (i) New occupational licensure and occupational
22 licensing entities; and

23 (ii) Existing occupational licensure and
24 occupational licensing entities.

25 (b) It is the intent of the General Assembly to authorize occupational
26 licensing entities to identify types of individuals or entities that may be
27 issued temporary or provisional licenses.

28
29 SECTION 3. Arkansas Code Title 17, Chapter 1, Subchapter 1, is amended
30 to add an additional section to read as follows:

31 17-1-108. Expedited temporary and provisional licensure.

32 (a) As used in this section:

33 (1) "Individual" means a natural person, firm, association,
34 partnership, corporation, or other entity that may hold an occupational
35 licensure;

36 (2) "Occupational licensing entity" means an office, board,

1 commission, department, council, bureau, or other agency of state government
2 having authority to license, certify, register, permit, or otherwise
3 authorize an individual to engage in a particular occupation or profession;
4 and

5 (3) "Occupational licensure" means a license, certificate,
6 registration, permit, or other form of authorization required by law or rule
7 that is required for an individual to engage in a particular occupation or
8 profession.

9 (b) An occupational licensing entity shall by rule adopt the least
10 restrictive requirements for occupational licensure for an individual who:

11 (1) Demonstrates that he or she:

12 (A) Holds an occupational licensure that is substantially
13 similar to practice in the field of his or her occupation or profession in
14 another state, territory, or district of the United States;

15 (B) Holds his or her occupational licensure in good
16 standing;

17 (C) Has not had his or her occupational licensure revoked
18 for:

19 (i) An act of bad faith; or

20 (ii) A violation of law, rule, or ethics;

21 (D) Is not holding a suspended or probationary
22 occupational licensure in any state, territory, or district of the United
23 States; and

24 (E) Is sufficiently competent in his or her field; and

25 (2) Pays any occupational licensure fee required by law or rule.

26 (c)(1)(A) An occupational licensing entity shall comply with the
27 requirements under subsection (b) of this section by adopting the least
28 restrictive rule that allows for reciprocity or licensure by endorsement.

29 (B) The rule adopted under subdivision (c)(1)(A) of this
30 section shall provide the procedure by which an occupational licensing entity
31 shall grant a temporary and provisional occupational licensure for ninety
32 (90) days or longer to an individual under subsection (b) of this section if
33 presented with evidence of a current and active occupational licensure that
34 is substantially similar to practice in the field of his or her occupation or
35 profession in another state, territory, or district of the United States.

36 (2) If a state, territory, or district of the United States does

1 not require occupational licensure for a profession that requires
2 occupational licensure in this state, an occupational licensing entity shall
3 adopt a rule that is least restrictive to permit an individual who is
4 sufficiently competent in his or her field to obtain occupational licensure
5 for that occupation or profession in this state.

6 (3) The occupational licensing entity may require additional
7 state-specific education for an individual with an occupational licensure in
8 another state, territory, or district of the United States that does not
9 offer reciprocity similar to reciprocity under this section to individuals
10 with occupational licensure in this state.

11 (d)(1) Except as provided under subdivision (d)(2) of this section, an
12 occupational licensing entity shall not require an individual who meets the
13 requirements of subsection (b) of this section to participate in the
14 apprenticeship, education, or training required as a prerequisite to
15 occupational licensure of a new professional in the field.

16 (2) The occupational licensing entity may require the individual
17 to participate in continuing education or training if the continuing
18 education or training is required for all professionals in the field to
19 maintain the occupational licensure.

20 (e) If a criminal background check is required of an applicant for an
21 initial occupational licensure or of a person currently holding an
22 occupational licensure, then the occupational licensing entity may require a
23 person seeking his or her occupational licensure under this section to meet
24 the same criminal background check requirements as the applicant for an
25 initial occupational licensure or as the person currently holding an
26 occupational licensure.

27 (f) The occupational licensing entity may require the individual
28 applying for occupational licensure under this section to meet any bonding,
29 financial statement, or insurance requirements that are applicable to all
30 applicants.

31 (g) This section shall not apply to:

32 (1) Reciprocity or license by endorsement provisions under §§
33 17-12-308, 17-26-315, 17-27-308, 17-28-306, 17-31-308, 17-36-304, 17-42-305,
34 17-43-307, 17-83-305, 17-88-305, 17-89-305, 17-90-302, 17-92-114, 17-92-308,
35 17-93-414, 17-97-306, 17-99-304, 17-100-304, and 17-103-302; or

36 (2) The occupational licensing entities that administer the

1 reciprocity provisions under subdivision (g)(1) of this section.

2 (h) An occupational licensing entity may enter into written agreements
3 with similar occupational licensing entities of another state, territory, or
4 district of the United States as necessary to assure for licensees in this
5 state have comparable nonresident licensure opportunities as those
6 opportunities available to nonresidents by occupational licensing entities in
7 this state.

8
9 /s/Cozart

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12 APPROVED: 3/12/19
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State of Arkansas

As Engrossed: S3/28/19

92nd General Assembly

A Bill

Regular Session, 2019

SENATE BILL 564

By: Senators Irvin, T. Garner, J. Hendren, D. Wallace

By: Representative Bentley

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE OCCUPATIONAL
LICENSURE OF ACTIVE DUTY SERVICE MEMBERS, RETURNING
MILITARY VETERANS, AND THEIR SPOUSES; TO PROVIDE
AUTOMATIC LICENSURE; TO REQUIRE REVIEW AND APPROVAL
OF RULES SUBMITTED BY OCCUPATIONAL LICENSING
ENTITIES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE
OCCUPATIONAL LICENSURE OF ACTIVE DUTY
SERVICE MEMBERS, RETURNING MILITARY
VETERANS, AND THEIR SPOUSES; TO PROVIDE
AUTOMATIC LICENSURE; TO REQUIRE REVIEW
AND APPROVAL OF RULES SUBMITTED.

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

SECTION 1. DO NOT CODIFY. Legislative Intent.

The General Assembly finds that:

(1) The current law regarding the issuance of licenses,
certificates, and permits required to enable the holder to lawfully engage in
a profession, trade, or employment in this state continues to constitute a
hardship on active duty service members, returning military veterans, and
their spouses;

(2) Acts 2017, No. 248, amended the law to require that all
state boards and commissions promulgate rules to expedite the process and



1 procedures for full licensure, certification, or permitting for active duty
2 service members, returning military veterans, and their spouses;

3 (3) State boards and commissions required to promulgate rules by
4 Acts 2017, No. 248, have failed to do so in accordance with the law; and

5 (4) Automatic licensure is necessary to remedy these hardships
6 and allow active duty service members, returning military veterans, and their
7 spouses to engage in their chosen professions.

8
9 Section 2. Arkansas Code § 17-1-106 is amended to read as follows:

10 17-1-106. ~~Licensure, certification, or permitting of~~ Automatic
11 licensure for active duty service members, returning military veterans, and
12 spouses – ~~Definition~~ Definitions.

13 (a) As used in this section:

14 (1) "Automatic licensure" means the granting of occupational
15 licensure without an individual's having met occupational licensure
16 requirements provided under this title or by the rules of the occupational
17 licensing entity;

18 (2) "Occupational licensing entity" means an office, board,
19 commission, department, council, bureau, or other agency of state government
20 having authority to license, certify, register, permit, or otherwise
21 authorize an individual to engage in a particular occupation or profession;

22 (3) "Occupational licensure" means a license, certificate,
23 registration, permit, or other form of authorization required by law or rule
24 that is required for an individual to engage in a particular occupation or
25 profession; and

26 (4) "returning Returning military veteran" means a former member
27 of the United States Armed Forces who was discharged from active duty under
28 circumstances other than dishonorable.

29 ~~(b)(1) A state board or commission that issues licenses, certificates,~~
30 ~~or permits required to enable the holder to lawfully engage in a profession,~~
31 ~~trade, or employment in this state~~ An occupational licensing entity shall
32 allow grant the following individuals to secure employment with a temporary
33 license, certificate, or permit while completing the application process for
34 full licensure or certification or permitting automatic licensure to engage
35 in an occupation or profession if the to an individual who is the holder in
36 good standing of a substantially equivalent license, certificate, or permit

1 occupational license issued by another state, territory, or district of the
2 United States and is:

3 ~~(1)(A)~~ An active duty military service member stationed in the
4 State of Arkansas;

5 ~~(2)(B)~~ A returning military veteran applying for licensure
6 within one (1) year of his or her discharge from active duty; or

7 ~~(3)(C)~~ The spouse of a person under subdivisions ~~(b)(1)~~
8 (b)(1)(A) and ~~(2)~~ (b)(1)(B) of this section.

9 (2) However, an occupational licensing entity shall be required
10 to provide automatic licensure if the proposed rules are not approved as
11 required under subsection (d)(2) of this section.

12 ~~(c) A state board or commission shall expedite the process and~~
13 ~~procedures for full licensure, certification, or permitting for the following~~
14 ~~individuals:~~

15 ~~(1) An active duty military service member stationed in the~~
16 ~~State of Arkansas;~~

17 ~~(2) A returning military veteran applying within one (1) year of~~
18 ~~his or her discharge from active duty; or~~

19 ~~(3) The spouse of a person under subdivisions (c)(1) and (2) of~~
20 ~~this section.~~

21 ~~(d) When considering an application for full licensure,~~
22 ~~certification, or permitting for an active duty military service member~~
23 ~~stationed in the State of Arkansas or a returning military veteran applying~~
24 ~~within one (1) year of his or her discharge from active duty, a state board~~
25 ~~or commission:~~

26 ~~(1) Shall consider whether or not the applicant's military~~
27 ~~training and experience in the area of licensure, certification, or~~
28 ~~permitting is substantially similar to experience or education required for~~
29 ~~licensure, certification, or permitting; and~~

30 ~~(2) Shall accept the applicant's military training and~~
31 ~~experience in the area of licensure, certification, or permitting in lieu of~~
32 ~~experience or education required for licensure, certification, or permitting~~
33 ~~if the state board or commission determines the military training and~~
34 ~~experience is a satisfactory substitute for the experience or education~~
35 ~~required for licensure, certification, or permitting.~~

36 ~~(e) A license, certificate, or permit required to enable the holder to~~

1 ~~lawfully engage in a profession, trade, or employment in this state held by~~
2 ~~an active duty military service member deployed outside the State of Arkansas~~
3 ~~or his or her spouse shall not expire until one hundred eighty (180) days~~
4 ~~following the active duty military service member's or spouse's return from~~
5 ~~active deployment.~~

6 ~~(f)(1) A state board or commission shall allow a full or partial~~
7 ~~exemption from continuing education required as part of licensure,~~
8 ~~certification, or permitting for a profession, trade, or employment in this~~
9 ~~state for the following individuals:~~

10 ~~(A) An active duty military service member deployed~~
11 ~~outside of the State of Arkansas;~~

12 ~~(B) A returning military veteran within one (1) year of~~
13 ~~his or her discharge from active duty; or~~

14 ~~(C) The spouse of a person under subdivisions (f)(1) and~~
15 ~~(2) of this section.~~

16 ~~(2) A state board or commission allowing a full or partial~~
17 ~~exemption from continuing education required under subdivision (f)(1) of this~~
18 ~~section may require evidence of completion of continuing education before~~
19 ~~issuing the individual a subsequent license, certificate, or permit or~~
20 ~~authorizing the renewal of a license, certificate, or permit.~~

21 ~~(g) All state boards and commissions shall promulgate rules necessary~~
22 ~~to carry out the provisions of this section.~~

23 An occupational licensing entity may submit proposed rules recommending
24 an expedited process and procedure for occupational licensure instead of
25 automatic licensure as provided under subsection (b) of this section to the
26 Administrative Rules and Regulations Subcommittee of the Legislative Council.

27 (d) The Administrative Rules and Regulations Subcommittee of the
28 Legislative Council shall:

29 (1) Review the proposed rules of an occupational licensing
30 entity as submitted for public comment and at least thirty (30) days before
31 the public comment period ends under the Arkansas Administrative Procedure
32 Act, § 25-15-201 et seq.; and

33 (2) Approve the proposed rules submitted under subsection (c)
34 based on:

35 (A) A determination of whether the expedited process and
36 procedure provide the least restrictive means of accomplishing occupational

1 licensure; and

2 (B) Any other criteria the Administrative Rules and
3 Regulations Subcommittee of the Legislative Council determines necessary to
4 achieve the objectives of this section.

5 (e) The Administrative Rules and Regulations Subcommittee of the
6 Legislative Council may:

7 (1) Establish a subcommittee to assist in the duties assigned
8 under this section;

9 (2) Assign information filed with the Administrative Rules and
10 Regulations Subcommittee of the Legislative Council under this section to one
11 (1) or more subcommittee of the Legislative Council, including without
12 limitation a subcommittee created under subdivision (e)(1) of this section;
13 or

14 (3) Delegate its duties under this section to one (1) or more
15 subcommittees of the Legislative Council, subject to final review and
16 approval of the Administrative Rules and Regulations Subcommittee of the
17 Legislative Council.

18 (f) An occupational licensing entity shall:

19 (1) Submit proposed rules authorized under subsection (c) of
20 this section to the Administrative Rules and Regulations Subcommittee of the
21 Legislative Council for review and approval before the proposed rules are
22 promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et
23 seq.; and

24 (2) Provide to the House Committee on Aging, Children and Youth,
25 Legislative and Military Affairs an annual report stating the number of
26 automatic licenses and expedited occupational licenses granted under this
27 section to:

28 (A) Active duty military service members stationed in the
29 State of Arkansas;

30 (B) Returning military veterans applying within one (1)
31 year of his or her discharge from active duty; or

32 (C) The spouse of a person under subdivisions (f)(2)(A)
33 and (f)(2)(B) of this section.

34
35 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. An occupational
36 licensing entity proposing rules recommending an expedited process and

1 procedure for occupational licensure instead of automatic licensure as
2 provided under § 17-1-106(b) to the Administrative Rules and Regulations
3 Subcommittee of the Legislative Council shall complete the review and
4 approval process of the proposed rules required by § 17-1-106 within one (1)
5 year of the effective date of this act.

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8 */s/Irvin*

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11 **APPROVED: 4/9/19**
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State of Arkansas

As Engrossed: H3/14/19

92nd General Assembly

A Bill

Regular Session, 2019

HOUSE BILL 1547

By: Representative Perry

For An Act To Be Entitled

AN ACT TO ENSURE THAT PERSONS LICENSED TO PROVIDE
EMERGENCY MEDICAL SERVICES OR ADVANCED LIFE SUPPORT
RESCUE SERVICES MAINTAIN CONTINUAL NATIONAL EMERGENCY
MEDICAL SERVICES CERTIFICATION; AND FOR OTHER
PURPOSES.

Subtitle

TO ENSURE THAT PERSONS LICENSED TO
PROVIDE EMERGENCY MEDICAL SERVICES OR
ADVANCED LIFE SUPPORT RESCUE SERVICES
MAINTAIN CONTINUAL NATIONAL EMERGENCY
MEDICAL SERVICES CERTIFICATION.

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

SECTION 1. Arkansas Code § 20-13-209(6), concerning the powers and
duties of the Department of Health within the Emergency Medical Services Act,
is amended to read as follows:

(6)(A) Issue initial and renewal licenses to any qualified
applicant that provides emergency medical services or advanced life support
rescue services, whether the applicant is an individual, partnership,
corporation, or other legal entity, as well as a municipality or other unit
of government.

(B) After the effective date of this section, an applicant
seeking initial licensure or renewal of licensure shall be certified by the
National Registry of Emergency Medical Technicians for the particular
emergency medical services personnel license that the applicant is applying



1 for on the state level.

2 (C) An individual who is licensed as emergency medical
3 services personnel before the effective date of this section is not required
4 to be certified by the National Registry of Emergency Medical Technicians to
5 renew a license if he or she has never been certified by the National
6 Registry of Emergency Medical Technicians or is not eligible for
7 reinstatement of certification by the National Registry of Emergency Medical
8 Technicians;

9 /s/Perry

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12 APPROVED: 4/12/19
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State of Arkansas *As Engrossed: S3/18/19 H4/3/19*
92nd General Assembly **A Bill**
Regular Session, 2019

SENATE BILL 451

By: Senator J. Cooper
By: Representative Dalby

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS REGARDING CRIMINAL
BACKGROUND CHECKS FOR PROFESSIONS AND OCCUPATIONS TO
OBTAIN CONSISTENCY REGARDING CRIMINAL BACKGROUND
CHECKS AND DISQUALIFYING OFFENSES FOR LICENSURE; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS REGARDING CRIMINAL
BACKGROUND CHECKS FOR PROFESSIONS AND
OCCUPATIONS TO OBTAIN CONSISTENCY
REGARDING CRIMINAL BACKGROUND CHECKS AND
DISQUALIFYING OFFENSES FOR LICENSURE.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Arkansas is taking a leading role in the nationwide pursuit
of reforms to the system of occupational licensing;

(2) Arkansas became one (1) of eleven (11) states chosen to
participate in the Occupational Licensing Policy Learning Consortium, an
initiative funded by a grant from the United States Department of Labor and
supported in partnership with the National Conference of State Legislatures,
the Council of State Governments, and the National Governors Association;

(3) Governor Asa Hutchinson appointed seventeen (17) individuals
to the Red Tape Reduction Working Group to review and address occupational



1 licensing regulations that create unnecessary barriers to labor market entry;
2 and

3 (4) The Red Tape Reduction Working Group issued a final report
4 to the Governor in the fall of 2018 with five (5) recommendations for
5 substantive legislative reform, which are to:

6 (A) Establish an expedited procedure for occupational
7 licensing entities to collectively submit administrative rules that are
8 responsive to new legislation;

9 (B) Extend Acts 2017, No. 781, to allow repeal of
10 subsections of rules;

11 (C) Establish provisions to allow certain agencies to
12 consider occupational relevance with regard to criminal background issues;

13 (D) Authorize occupational licensing entities to identify
14 types of individuals or entities that may be issued temporary or provisional
15 licenses; and

16 (E) Establish a systematic process for review of:

17 (i) New occupational licenses and occupational
18 licensing entities; and

19 (ii) Existing occupational licenses and occupational
20 licensing entities.

21 (b) It is the intent of the General Assembly to establish provisions
22 to allow certain agencies to consider occupational relevance with regard to
23 criminal background issues.

24
25 SECTION 2. Arkansas Code Title 17 is amended to add an additional
26 chapter to read as follows:

27 CHAPTER 2

28 OCCUPATIONAL CRIMINAL BACKGROUND CHECKS

29
30 17-2-101. Definitions.

31 As used in this subchapter:

32 (1) "Criminal record" means any type of felony or misdemeanor
33 conviction;

34 (2) "Licensing entity" means an office, board, commission,
35 department, council, bureau, or other agency of state government having
36 authority to license, certify, register, permit, or otherwise authorize an

1 individual to engage in a particular occupation or profession; and

2 (3) "License" means a license, certificate, registration,
3 permit, or other form of authorization required by law or rule that is
4 required for an individual to engage in a particular occupation or
5 profession.

6
7 17-2-102. Licensing restrictions based on criminal records.

8 (a) An individual is not eligible to receive or hold a license issued
9 by a licensing entity if that individual has pleaded guilty or nolo
10 contendere to or been found guilty of any of the following offenses by any
11 court in the State of Arkansas or of any similar offense by a court in
12 another state or of any similar offense by a federal court, unless the
13 conviction was lawfully sealed under the Comprehensive Criminal Record
14 Sealing Act of 2013, § 16-90-1401 et seq., or otherwise previously sealed,
15 pardoned or expunged under prior law:

16 (1) Capital murder as prohibited in § 5-10-101;

17 (2) Murder in the first degree and second degree as prohibited
18 in §§ 5-10-102 and 5-10-103;

19 (3) Manslaughter as prohibited in § 5-10-104;

20 (4) Negligent homicide as prohibited in § 5-10-105;

21 (5) Kidnapping as prohibited in § 5-11-102;

22 (6) False imprisonment in the first degree as prohibited in § 5-
23 11-103;

24 (7) Permanent detention or restraint as prohibited in § 5-11-
25 106;

26 (8) Robbery as prohibited in § 5-12-102;

27 (9) Aggravated robbery as prohibited in § 5-12-103;

28 (10) Battery in the first degree as prohibited in § 5-13-201;

29 (11) Aggravated assault as prohibited in § 5-13-204;

30 (12) Introduction of a controlled substance into the body of
31 another person as prohibited in § 5-13-210;

32 (13) Aggravated assault upon a law enforcement officer or an
33 employee of a correctional facility as prohibited in § 5-13-211, if a Class Y
34 felony;

35 (14) Terroristic threatening in the first degree as prohibited
36 in § 5-13-301;

- 1 (15) Rape as prohibited in § 5-14-103;
2 (16) Sexual indecency with a child as prohibited in § 5-14-110;
3 (17) Sexual extortion as prohibited in § 5-14-113;
4 (18) Sexual assault in the first degree, second degree, third
5 degree, and fourth degree as prohibited in §§ 5-14-124 – 5-14-127;
6 (19) Incest as prohibited in § 5-26-202;
7 (20) Offenses against the family as prohibited in §§ 5-26-303 –
8 5-26-306;
9 (21) Endangering the welfare of an incompetent person in the
10 first degree, as prohibited in § 5-27-201;
11 (22) Endangering the welfare of a minor in the first degree as
12 prohibited in § 5-27-205;
13 (23) Permitting the abuse of a minor as prohibited in § 5-27-
14 221;
15 (24) Engaging children in sexually explicit conduct for use in
16 visual or print media, transportation of minors for prohibited sexual
17 conduct, pandering or possessing visual or print medium depicting sexually
18 explicit conduct involving a child, or use of a child or consent to use of a
19 child in a sexual performance by producing, directing, or promoting a sexual
20 performance by a child, as prohibited in §§ 5-27-303 – 5-27-305, 5-27-402,
21 and 5-27-403;
22 (25) Computer child pornography as prohibited in § 5-27-603;
23 (26) Computer exploitation of a child in the first degree as
24 prohibited in § 5-27-605;
25 (27) Felony adult abuse as prohibited in § 5-28-103;
26 (28) Theft of property as prohibited in § 5-36-103;
27 (29) Theft by receiving as prohibited in § 5-36-106;
28 (30) Arson as prohibited in § 5-38-301;
29 (31) Burglary as prohibited in § 5-39-201;
30 (32) Felony violation of the Uniform Controlled Substances Act,
31 §§ 5-64-101 – 5-64-510, as prohibited in the former § 5-64-401, and §§ 5-64-
32 419 – 5-64-442;
33 (33) Promotion of prostitution in the first degree as prohibited
34 in § 5-70-104;
35 (34) Stalking as prohibited in § 5-71-229;
36 (35) Criminal attempt, criminal complicity, criminal

solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection; and

(36) All other crimes referenced in this title.

(b)(1) If an individual has been convicted of a crime listed in subsection (a) of this section, a licensing entity may waive disqualification or revocation of a license based on the conviction if a request for a waiver is made by:

(A) An affected applicant for a license; or

(B) The individual holding a license subject to revocation.

(2) A basis upon which a waiver may be granted includes without limitation:

(A) The age at which the offense was committed;

(B) The circumstances surrounding the offense;

(C) The length of time since the offense was committed;

(D) Subsequent work history since the offense was committed;

(E) Employment references since the offense was committed;

(F) Character references since the offense was committed;

(G) Relevance of the offense to the occupational license;

and

(H) Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.

(c) If an individual has a valid criminal conviction for an offense that could disqualify the individual from receiving a license, the disqualification shall not be considered for more than five (5) years from the date of conviction or incarceration or on which probation ends, whichever date is the latest, if the individual:

(A) Was not convicted for committing a violent or sexual offense; and

(B) Has not been convicted of any other offense during the five-year disqualification period.

(d) A licensing entity shall not, as a basis upon which a license may be granted or denied:

(1) Use vague or generic terms, including without limitation the

1 phrase "moral turpitude" and "good character"; or

2 (2) Consider arrests without a subsequent conviction.

3 (e) Due to the serious nature of the offenses, the following shall
4 result in permanent disqualification for licensure:

5 (1) Capital murder as prohibited in § 5-10-101;

6 (2) Murder in the first degree as prohibited in § 5-10-102 and
7 murder in the second degree as prohibited in § 5-10-103;

8 (3) Kidnapping as prohibited in § 5-11-102;

9 (4) Aggravated assault upon a law enforcement officer or an
10 employee of a correctional facility as prohibited in § 5-13-211, if a Class Y
11 felony;

12 (5) Rape as prohibited in § 5-14-103;

13 (6) Sexual extortion as prohibited in § 5-14-113;

14 (7) Sexual assault in the first degree as prohibited in § 5-14-
15 124 and sexual assault in the second degree as prohibited in § 5-14-125;

16 (8) Incest as prohibited in § 5-26-202;

17 (9) Endangering the welfare of an incompetent person in the
18 first degree as prohibited in § 5-27-201;

19 (10) Endangering the welfare of a minor in the first degree as
20 prohibited in § 5-27-205;

21 (11) Adult abuse that constitutes a felony as prohibited in § 5-
22 28-103; and

23 (12) Arson as prohibited in § 5-38-301.

24 (f) This chapter does not preclude a licensing entity from taking
25 emergency action against a licensee as authorized under § 25-15-211 for the
26 sake of public health, safety, or welfare.

27 (g) The permanent disqualification for an offense listed in subsection
28 (e) of this section does not apply to an individual who holds a valid license
29 on the effective date of this chapter.

30 (h) This section does not apply to licensure or certification:

31 (1) Of professions not governed by this title;

32 (2) Of polygraph examiners and voice stress analysis examiners
33 under § 17-39-101 et seq.; or

34 (3) Of private investigators and private security agencies under
35 the Private Security Agency, Private Investigator, and School Security
36 Licensing and Credentialing Act, § 17-40-101 et seq.

17-2-103. Prelicensure criminal background checks.

(a)(1) An individual with a criminal record may petition a licensing entity at any time for a determination of whether the criminal record of the individual will disqualify the individual from licensure and whether or not he or she could obtain a waiver under § 17-2-102(b).

(2) The petition shall include details on the criminal record of the individual.

(b)(1) A licensing entity may require that the applicant undergo a state and federal criminal background check as required by the licensing entity for all applicants for a license.

(2) The petitioner under subsection (a) of this section shall be responsible for payment for the state and federal criminal background check.

17-2-104. Rules.

(a) A licensing entity shall adopt or amend rules necessary for the implementation of this chapter.

(b)(1) When adopting or amending rules to implement this chapter, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(A) On or before January 1, 2020; or

(B) If approval under § 10-3-309 has not occurred by January 1, 2020, as soon as practicable after approval under § 10-3-309.

(2) A licensing entity shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2020, so that the Legislative Council may consider the rule for approval before January 1, 2020.

SECTION 3. Arkansas Code § 17-11-302(b), concerning application and certificate of registration to become a registered abstractor, is amended to read as follows:

(b) The application shall be in a form prepared by the board and shall contain such information as may be necessary to assist the board in registration ~~and to determine if the applicant is of good moral character.~~

SECTION 4. Arkansas Code § 17-11-304(a), concerning issuance or

1 reapplication for a certificate of registration by the Arkansas Abstracters'
2 Board, is amended to read as follows:

3 (a) If the applicant satisfactorily passes the examinations ~~and is of~~
4 ~~good moral character~~, the applicant shall be certified as a registered
5 abstracter, and the certificate provided for shall be issued to him or her.
6 The privileges granted by the certificate shall continue unless revoked, as
7 provided in this chapter, or unless the certificate is otherwise surrendered
8 to the Arkansas Abstracters' Board.

9
10 SECTION 5. Arkansas Code § 17-11-340(a), concerning the revocation of
11 certificates authorized by the Arkansas Abstracters' Board, is amended to
12 read as follows:

13 (a) The Arkansas Abstracters' Board is authorized, after a hearing as
14 provided in § 17-11-341, to cancel and revoke any certificate of registration
15 issued to any person under the provisions of this chapter:

16 (1) For a violation of any of the provisions of this chapter;

17 (2) Upon a conviction of the holder of such a certificate of a
18 crime ~~involving moral turpitude~~ under § 17-1-102; or

19 (3) If the board finds the holder to be guilty of habitual
20 carelessness or of fraudulent practices in the conduct of the business of
21 abstracting.

22
23 SECTION 6. Arkansas Code § 17-11-341(a)(1), concerning the procedure
24 of appeal for revocation of certificates authorized by the Arkansas
25 Abstracters' Board, is amended to read as follows:

26 (a)(1) Upon a verified complaint being filed with the Arkansas
27 Abstracters' Board or upon the board's own motion filing a complaint charging
28 the holder of a certificate of registration with a violation of any of the
29 provisions of this chapter, or conviction of a crime involving ~~moral~~
30 ~~turpitude, or with~~ under § 17-2-102 or habitual carelessness or fraudulent
31 practices in the conduct of the business of abstracting, or charging the
32 holder of a certificate of authority with failure to furnish the bond or
33 bonds, or other securities, required by § 17-11-324, or with failing to have
34 employed a registered abstracter as provided in § 17-11-301, or with a
35 violation of any of the provisions of this chapter, the board shall
36 immediately notify in writing by registered mail, with return receipt, the

holder of the certificate of the filing of the complaint and furnish the holder with a copy of the complaint.

SECTION 7. Arkansas Code § 17-12-301 is amended to read as follows:

17-12-301. Requirements generally – Definition.

(a) A certificate as a certified public accountant shall be granted by the Arkansas State Board of Public Accountancy to any person ~~of good moral character:~~

(1) Who has met the education and experience requirements set forth in this chapter and by the board; and

(2) Who has passed an examination in accounting and auditing and such related subjects as the board shall determine to be appropriate.

~~(b)(1)(A) “Good moral character” as used in this section means lack of a history of:~~

~~(i) Dishonest or felonious acts; or~~

~~(ii) Conduct involving fraud or moral turpitude.~~

~~(B) The board may refuse to grant a certificate on the ground of failure to satisfy this requirement only if there is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensee and if the finding by the board of lack of good moral character is supported by clear and convincing evidence.~~

~~(2) When an applicant is found to be unqualified for a certificate because of a lack of good moral character, the board shall furnish the applicant a:~~

~~(A) Statement containing the findings of the board;~~

~~(B) Complete record of the evidence upon which the determination was based; and~~

~~(C) Notice of the applicant’s right of appeal.~~

~~(e)(1)(b)(1)~~ Any person who has received from the board a certificate as a certified public accountant which is currently in full force and effect shall be styled and known as a “certified public accountant” and may also use the abbreviation “CPA”.

(2) The board shall maintain a list of certified public accountants.

(c) Any certified public accountant may also be known as a public

1 accountant.

2
3 SECTION 8. Arkansas Code § 17-12-303(d), concerning the criminal
4 background check for initial licensure of accountants, is amended to read as
5 follows:

6 (d) Upon completion of the criminal background checks, the
7 Identification Bureau of the Department of Arkansas State Police shall
8 forward to the board all releasable information obtained concerning the
9 ~~commission by the applicant of any offense listed in subsection (e) of this~~
10 ~~section.~~

11
12 SECTION 9. Arkansas Code § 17-12-303(e), concerning the criminal
13 background check for initial licensure of accountants, is repealed.

14 ~~(e) Notwithstanding the provisions of § 17-12-301, a person convicted~~
15 ~~of a felony or crime involving moral turpitude or dishonesty in any state or~~
16 ~~federal court may not receive or hold a license as a certified public~~
17 ~~accountant or public accountant.~~

18
19 SECTION 10. Arkansas Code § 17-12-601(a)(5) and (6), concerning the
20 grounds for revocation or suspension of licensure of accountants, are amended
21 to read as follows:

22 (5) Conviction of a felony under ~~the law of any state or of the~~
23 ~~United States~~ § 17-2-102;

24 (6) Conviction of any crime an element of which is dishonesty,
25 ~~or fraud, or moral turpitude~~ under the law of any state or of the United
26 States;

27
28 SECTION 11. Arkansas Code § 17-12-601, concerning the grounds for
29 revocation or suspension of licensure of an accountant, is amended to add an
30 additional subsection to read as follows:

31 (c) In addition to the offenses listed in § 17-2-102, the Arkansas
32 State Board of Public Accountancy may refuse to issue a license to or
33 reinstate a license of a person who has been convicted of a felony involving
34 theft or fraud, regardless of the amount of time that has elapsed since the
35 conviction.

1 SECTION 12. Arkansas Code § 17-14-203(12)(C)(i), concerning the powers
2 and duties regarding criminal background checks of the Arkansas Appraiser
3 Licensing and Certification Board, is amended to read as follows:

4 (i) During the five (5) years immediately preceding
5 the date of the application was convicted of, or pled guilty or nolo
6 contendere to, a crime that would call into question the applicant's fitness
7 for registration, licensure, or certification, including without limitation a
8 crime involving:

9 ~~(a) Moral turpitude;~~

10 ~~(b)(1)~~(a)(1) An act substantially related to
11 the qualifications, functions, or duties of an appraiser.

12 (2) A crime or act may be deemed
13 substantially related to the qualifications, functions, or duties of an
14 appraiser if, to a substantial degree, the crime or act evidences present or
15 potential unfitness of a person applying for or holding a real property
16 appraiser credential to perform the functions authorized by the credential;

17 ~~(e)~~(b) Taking, appropriating, or retaining the
18 funds or property of another;

19 ~~(d)~~(c) Forging, counterfeiting, or altering an
20 instrument affecting the rights or obligations of another;

21 ~~(e)~~(d) Evasion of a lawful debt or obligation,
22 including without limitation a tax obligation;

23 ~~(f)~~(e) Trafficking in narcotics or controlled
24 substances;

25 ~~(g)~~(f) Violation of a relation of trust or
26 confidence;

27 ~~(h)~~(g) Theft of personal property or funds;

28 ~~(i)~~(h) An act of violence or threatened
29 violence against persons or property; or

30 ~~(j)~~(i) A sexually related crime or act under §
31 5-14-101 et seq.;

32
33 SECTION 13. Arkansas Code § 17-14-206(a)(3), concerning complaints and
34 disciplinary procedures of the Arkansas Appraiser Licensing and Certification
35 Board for licensees, is repealed.

36 ~~(3)(A) Conviction in any jurisdiction of any misdemeanor~~

1 ~~involving moral turpitude or of any felony.~~

2 ~~(B) A plea of nolo contendere or no contest shall be~~
3 ~~considered a conviction for the purposes of this section.~~

4
5 SECTION 14. Arkansas Code § 17-14-405(b)(3), concerning requirements
6 for registration under the Appraisal Management Company Registration Act, is
7 amended to read as follows:

8 (3)(A) The name, address, and contact information of any person
9 that owns ten percent (10%) or more of the appraisal management company.

10 (B) Any person owning more than ten percent (10%) of an
11 appraisal management company in this state shall:

12 ~~(i) Be of good moral character, as determined by the~~
13 ~~board; and~~

14 ~~(ii) Submit~~ submit to a state criminal background
15 check and a national fingerprint-based criminal background check performed by
16 the Federal Bureau of Investigation in compliance with federal law and
17 regulations;

18
19 SECTION 15. Arkansas Code § 17-14-410(a)(3), concerning the
20 disciplinary authority, enforcement, and hearings under the Appraisal
21 Management Company Registration Act, is amended to read as follows:

22 (3) The person has pleaded guilty or nolo contendere to or been
23 found guilty of:

24 (A) A felony listed under § 17-2-102; or

25 (B) Within the past ten (10) years:

26 (i) A misdemeanor involving mortgage lending or real
27 estate appraising; or

28 (ii) An offense involving breach of trust, ~~moral~~
29 ~~turpitude~~, or fraudulent or dishonest dealing;

30
31 SECTION 16. Arkansas Code § 17-15-102(3), concerning the definition of
32 "good moral character" related to architects, is repealed.

33 ~~(3)(A) "Good moral character" means character that will enable a~~
34 ~~person to discharge the fiduciary duties of an architect to his or her client~~
35 ~~and to the public for the protection of health, safety, and welfare.~~

36 ~~(B) Evidence of inability to discharge such duties~~

1 ~~includes the commission of an offense justifying discipline under § 17-15-~~
2 ~~308,~~

3
4 SECTION 17. Arkansas Code § 17-15-304(b)(1), concerning examinations
5 to be a registered and licensed architect, is amended to read as follows:

6 (b)(1) To be qualified for admission to an examination to practice
7 architecture in the State of Arkansas, an applicant ~~must~~ shall be at least
8 twenty-one (21) years of age ~~and of good moral character.~~

9
10 SECTION 18. Arkansas Code § 17-15-308(5), concerning grounds for
11 revocation of a license for an architect, is amended to read as follows:

12 (5) The holder of the license or certificate of registration has
13 been guilty of a felony listed under § 17-2-102;

14
15 SECTION 19. Arkansas Code § 17-16-105(a)(8), concerning the
16 registration requirements for an athlete agent under the Uniform Athlete
17 Agents Act, is amended to read as follows:

18 (8) whether the applicant or any person named pursuant to
19 paragraph (7) has been convicted of a crime that, if committed in this State,
20 would be a crime involving ~~moral turpitude~~ or a felony listed under § 17-2-
21 102, and identify the crime;

22
23 SECTION 20. Arkansas Code § 17-17-308(6), concerning the suspension or
24 revocation of a license of an auctioneer, is amended to read as follows:

25 (6) Being convicted of a criminal offense involving ~~moral~~
26 ~~turpitude~~ or a felony listed under § 17-2-102 in a court of competent
27 jurisdiction of this or any other jurisdiction;

28
29 SECTION 21. Arkansas Code § 17-19-203(3), concerning character
30 references for a professional bail bondsman license, is amended to read as
31 follows:

32 (3) ~~Such other~~ Provide other proof as the board may require that
33 he or she is competent, trustworthy, financially responsible, and of good
34 personal and business reputation and has not been convicted of a felony ~~or~~
35 ~~any offense involving moral turpitude~~ listed under § 17-2-102.

1 SECTION 22. Arkansas Code § 17-19-210(b)(1), concerning the suspension
2 and penalties for a professional bail bondsman licensee, is amended to read
3 as follows:

4 (1) Violated any provision of or any obligation imposed by this
5 chapter or any lawful rule, ~~regulation~~, or order of the board or has been
6 convicted of a felony ~~or any offense involving moral turpitude~~ listed under §
7 17-2-102;

8
9 SECTION 23. Arkansas Code § 17-20-302 is amended to read as follows:

10 17-20-302. Qualifications of applicants.

11 Any person shall be qualified to receive a certificate of registration
12 to practice as a registered barber who:

13 (1) Is qualified under this chapter;

14 ~~(2) Is of good moral character and temperate habits;~~

15 ~~(3)~~(2) Has passed a satisfactory examination conducted by the
16 State Board of Barber Examiners to determine his or her fitness to practice
17 barbering;

18 ~~(4)~~(3) Is at least sixteen and one-half (16 ½) years of age; and

19 ~~(5)~~(4) Has received training approved by the appropriate
20 licensing authorities.

21
22 SECTION 24. Arkansas Code § 17-20-308(1)(A), concerning grounds for
23 disciplinary action of barbers, is amended to read as follows:

24 (1)(A) Conviction of a felony listed under § 17-2-102 shown by a
25 certified copy of the record of the court of conviction.

26
27 SECTION 25. Arkansas Code § 17-24-307(3), concerning the grounds for
28 revocation, suspension, or refusal of license issued by the State Board of
29 Collection Agencies, is repealed.

30 ~~(3) Conviction of any crime involving moral turpitude;~~

31
32 SECTION 26. Arkansas Code § 17-25-305(a), concerning the
33 qualifications for a contractors license, is amended to read as follows:

34 (a) The Contractors Licensing Board, in determining the qualifications
35 of any applicant for an original license or any renewal license, shall, among
36 other things, consider the following:

- 1 (1) Experience;
- 2 (2) Ability;
- 3 ~~(3) Character;~~
- 4 ~~(4)~~(3) The manner of performance of previous contracts;
- 5 ~~(5)~~(4) Financial condition;
- 6 ~~(6)~~(5) Equipment;
- 7 ~~(7)~~(6) Any other fact tending to show ability and willingness to
- 8 conserve the public health and safety; and
- 9 ~~(8)~~(7) Default in complying with the provisions of this chapter
- 10 or ~~any other~~ another law of the state.
- 11

12 SECTION 27. Arkansas Code § 17-25-305, concerning the qualifications
13 for a contractors license, is amended to add an additional subsection to read
14 as follows:

15 (c) In addition to the offenses listed in § 17-2-102, the board may
16 consider the following offenses when determining fitness for licensure or
17 registration of a contractor under this chapter:

18 (1) Conviction of a crime with an element of dishonesty or fraud
19 under the laws of this state, another state, or the United States;

20 (2) Conviction of voyeurism as prohibited in § 5-16-101 and § 5-
21 16-102;

22 (3) Conviction under the Arkansas Hot Check Law, § 5-37-301 et
23 seq.; and

24 (4)(A) A crime or act that is substantially related to the
25 qualifications, functions, or duties of a contractor.

26 (B) A crime or act may be deemed substantially related to
27 the qualifications, functions, or duties of a contractor if, to a substantial
28 degree, the crime or act evidences present or potential unfitness of a person
29 applying for or holding a contractors license or registration to perform the
30 functions authorized by the license or registration.

31
32 SECTION 28. Arkansas Code § 17-25-507, concerning the qualifications
33 for a contractors license through the Residential Contractors Committee, is
34 amended to add an additional subsection to read as follows:

35 (c) In addition to the offenses listed in § 17-2-102, the committee
36 may consider the following offenses when determining fitness for licensure or

1 registration of a contractor under this subchapter:

2 (1) Conviction of a crime with an element of dishonesty or fraud
3 under the laws of this state, another state, or the United States;

4 (2) Conviction of voyeurism as prohibited in § 5-16-101 and § 5-
5 16-102;

6 (3) Conviction under the Arkansas Hot Check Law, § 5-37-301 et
7 seq.; and

8 (4)(A) A crime or act that is substantially related to the
9 qualifications, functions, or duties of a contractor.

10 (B) A crime or act may be deemed substantially related to
11 the qualifications, functions, or duties of a contractor if, to a substantial
12 degree, the crime or act evidences present or potential unfitness of a person
13 applying for or holding a contractors license or registration to perform the
14 functions authorized by the license or registration.

15
16 SECTION 29. Arkansas Code § 17-26-105(10), concerning grounds for
17 disciplinary action for cosmetology and other related occupations, is amended
18 to read as follows:

19 (10) Conviction under the laws of the United States or any state
20 or territory of the United States of a crime that is:

21 (A) ~~Is a~~ A felony or misdemeanor listed under § 17-2-102,
22 as evidenced by a certified copy of a court record or by license application;
23 and

24 (B) ~~Involves~~ A misdemeanor involving dishonesty or is in
25 any way related to the practice or teaching of the cosmetology industry,
26 unless the applicant or licensee can demonstrate to the board's satisfaction
27 that the applicant or licensee has been sufficiently rehabilitated to warrant
28 the public trust;

29
30 SECTION 30. Arkansas Code § 17-26-201(c), concerning the membership of
31 the Cosmetology Technical Advisory Committee, is amended to read as follows:

32 (c) The committee shall be composed of the following representatives
33 from within the cosmetology industry who are ~~of good moral character and who~~
34 ~~are~~ at least twenty-five (25) years of age:

35 (1) One (1) member shall be a licensed cosmetologist actively
36 engaged in practicing the art of cosmetology for at least five (5) years at

1 the time of appointment;

2 (2) One (1) member shall be a licensed nail technician;

3 (3) One (1) member shall be an owner of a licensed school of
4 cosmetology or shall be a director of cosmetology at a state-supported
5 school;

6 (4) One (1) member shall be a licensed aesthetician; and

7 (5) Three (3) members shall represent the cosmetology industry
8 at large or a related field.

9
10 SECTION 31. Arkansas Code § 17-27-301(2), concerning qualifications
11 for a licensed professional counselor, is amended to read as follows:

12 (2) The applicant is highly regarded in ~~personal character and~~
13 professional ethics;

14
15 SECTION 32. Arkansas Code § 17-27-303(2), concerning qualifications
16 for a licensed marriage and family therapist before January 1, 1998, is
17 amended to read as follows:

18 (2) The applicant is highly regarded in ~~personal character and~~
19 professional ethics;

20
21 SECTION 33. Arkansas Code § 17-27-313 is amended to read as follows:
22 17-27-313. Criminal background checks.

23 (a) The Arkansas Board of Examiners in Counseling may require each
24 applicant for license renewal and each first-time applicant for a license
25 issued by the board to apply to the Identification Bureau of the Department
26 of Arkansas State Police for a state and national criminal background check,
27 to be conducted by the Identification Bureau of the Department of Arkansas
28 State Police and the Federal Bureau of Investigation.

29 (b) The check shall conform to the applicable federal standards and
30 shall include the taking of fingerprints.

31 (c) The applicant shall sign a release of information to the board and
32 shall be responsible for the payment of any fee associated with the criminal
33 background check.

34 (d) Upon completion of the criminal background check, the
35 Identification Bureau of the Department of Arkansas State Police shall
36 forward to the board all releasable information obtained concerning the

1 applicant.

2 ~~(e) No person shall be eligible to receive or hold a license issued by~~
3 ~~the board if that person has pleaded guilty or nolo contendere to or been~~
4 ~~found guilty of any of the following offenses by any court in the State of~~
5 ~~Arkansas or of any similar offense by a court in another state or of any~~
6 ~~similar offense by a federal court;~~

7 ~~(1) Capital murder as prohibited in § 5-10-101;~~

8 ~~(2) Murder in the first degree and second degree as prohibited~~
9 ~~in §§ 5-10-102 and 5-10-103;~~

10 ~~(3) Manslaughter as prohibited in § 5-10-104;~~

11 ~~(4) Negligent homicide as prohibited in § 5-10-105;~~

12 ~~(5) Kidnapping as prohibited in § 5-11-102;~~

13 ~~(6) False imprisonment in the first degree as prohibited in § 5-~~
14 ~~11-103;~~

15 ~~(7) Permanent detention or restraint as prohibited in § 5-11-~~
16 ~~106;~~

17 ~~(8) Robbery as prohibited in § 5-12-102;~~

18 ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~

19 ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~

20 ~~(11) Aggravated assault as prohibited in § 5-13-204;~~

21 ~~(12) Introduction of controlled substance into body of another~~
22 ~~person as prohibited in § 5-13-210;~~

23 ~~(13) Aggravated assault upon a law enforcement officer or an~~
24 ~~employee of a correctional facility, § 5-13-211, if a Class Y felony;~~

25 ~~(14) Terroristic threatening in the first degree as prohibited~~
26 ~~in § 5-13-301;~~

27 ~~(15) Rape as prohibited in § 5-14-103;~~

28 ~~(16) Sexual indecency with a child as prohibited in § 5-14-110;~~

29 ~~(17) Sexual extortion, § 5-14-113;~~

30 ~~(18) Sexual assault in the first degree, second degree, third~~
31 ~~degree, and fourth degree as prohibited in §§ 5-14-124—5-14-127;~~

32 ~~(19) Incest as prohibited in § 5-26-202;~~

33 ~~(20) Offenses against the family as prohibited in §§ 5-26-303—~~
34 ~~5-26-306;~~

35 ~~(21) Endangering the welfare of an incompetent person in the~~
36 ~~first degree as prohibited in § 5-27-201;~~

1 ~~(22) Endangering the welfare of a minor in the first degree as~~
2 ~~prohibited in § 5-27-205;~~

3 ~~(23) Permitting abuse of a minor as prohibited in § 5-27-221;~~

4 ~~(24) Engaging children in sexually explicit conduct for use in~~
5 ~~visual or print media, transportation of minors for prohibited sexual~~
6 ~~conduct, pandering or possessing visual or print medium depicting sexually~~
7 ~~explicit conduct involving a child, or use of a child or consent to use of a~~
8 ~~child in a sexual performance by producing, directing, or promoting a sexual~~
9 ~~performance by a child as prohibited in §§ 5-27-303—5-27-305, 5-27-402, and~~
10 ~~5-27-403;~~

11 ~~(25) Computer child pornography as prohibited in § 5-27-603;~~

12 ~~(26) Computer exploitation of a child in the first degree as~~
13 ~~prohibited in § 5-27-605;~~

14 ~~(27) Felony adult abuse as prohibited in § 5-28-103;~~

15 ~~(28) Theft of property as prohibited in § 5-36-103;~~

16 ~~(29) Theft by receiving as prohibited in § 5-36-106;~~

17 ~~(30) Arson as prohibited in § 5-38-301;~~

18 ~~(31) Burglary as prohibited in § 5-39-201;~~

19 ~~(32) Felony violation of the Uniform Controlled Substances Act,~~
20 ~~§ 5-64-101 et seq., as prohibited in the former § 5-64-401 and §§ 5-64-419—~~
21 ~~5-64-442;~~

22 ~~(33) Promotion of prostitution in the first degree as prohibited~~
23 ~~in § 5-70-104;~~

24 ~~(34) Stalking as prohibited in § 5-71-229; and~~

25 ~~(35) Criminal attempt, criminal complicity, criminal~~
26 ~~solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-~~
27 ~~3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

28 ~~(f)(1)(e)~~ The board may issue a six-month nonrenewable letter of
29 provisional eligibility for licensure to a first-time applicant pending the
30 results of the criminal background check.

31 ~~(2) Upon receipt of information from the Identification Bureau~~
32 ~~of the Department of Arkansas State Police that the person holding such a~~
33 ~~letter of provisional licensure has pleaded guilty or nolo contendere to or~~
34 ~~been found guilty of any offense listed in subsection (e) of this section,~~
35 ~~the board shall immediately revoke the provisional license.~~

36 ~~(g)(1) The provisions of subsections (e) and (f) of this section may~~

1 ~~be waived by the board upon the request of:~~

2 ~~(A) An affected applicant for licensure; or~~

3 ~~(B) The person holding a license subject to revocation;~~

4 ~~(2) Circumstances for which a waiver may be granted shall~~
5 ~~include, but not be limited to, the following:~~

6 ~~(A) The age at which the crime was committed;~~

7 ~~(B) The circumstances surrounding the crime;~~

8 ~~(C) The length of time since the crime;~~

9 ~~(D) Subsequent work history;~~

10 ~~(E) Employment references;~~

11 ~~(F) Character references; and~~

12 ~~(G) Other evidence demonstrating that the applicant does~~
13 ~~not pose a threat to the health or safety of children.~~

14 (f) For the purposes of this section, the board shall follow the
15 licensing restrictions based on criminal records under § 17-2-102.

16 ~~(h)-(i)(g)(1)~~ Any information received by the board from the
17 Identification Bureau of the Department of Arkansas State Police ~~pursuant to~~
18 under this section shall not be available for examination except by:

19 (A) The affected applicant for licensure, or his or her
20 authorized representative; or

21 (B) The person whose license is subject to revocation, or
22 his or her authorized representative.

23 (2) No record, file, or document shall be removed from the
24 custody of the Department of Arkansas State Police.

25 ~~(i)(h)~~ Any information made available to the affected applicant for
26 licensure or the person whose license is subject to revocation shall be
27 information pertaining to that person only.

28 ~~(j)(i)~~ Rights of privilege and confidentiality established under this
29 section shall not extend to any document created for purposes other than this
30 background check.

31 ~~(k)(j)~~ The board shall adopt the necessary rules ~~and regulations~~ to
32 fully implement the provisions of this section.

33
34 SECTION 34. Arkansas Code § 17-29-311(a)(1), concerning the sanctions
35 and prohibited conduct of embalmers and funeral directors, is amended to read
36 as follows:

1 (1) Conviction of a felony listed under § 17-2-102;

2
3 SECTION 35. Arkansas Code § 17-30-305(a)(2)(A), concerning the
4 administrative violations and penalties for an engineer, is amended to read
5 as follows:

6 (A) A felony listed under § 17-2-102;

7
8 SECTION 36. Arkansas Code § 17-31-303(c), concerning application for
9 registration with the Arkansas State Board of Registration for Foresters, is
10 repealed.

11 ~~(c) A person shall not be eligible for registration as a forester who~~
12 ~~is not of good character and reputation.~~

13
14 SECTION 37. Arkansas Code § 17-31-309(b), concerning revocation of a
15 certificate for a registered forester, is amended to read as follows:

16 (b)(1) The board may revoke the certificate of any registered forester
17 who has been convicted of a felony listed under § 17-2-102 or who is found
18 guilty by the board of any fraud, deceit, gross negligence,
19 misrepresentation, willful violation of contract, misconduct, or gross
20 incompetence.

21 (2) The board shall investigate such charges.

22
23 SECTION 38. Arkansas Code § 17-32-304(a)(1), concerning the
24 qualifications for a geologist-in-training certificate, is repealed.

25 ~~(1) Be of good ethical character;~~

26
27 SECTION 39. Arkansas Code § 17-32-311(a)(3), concerning the denial,
28 suspension, or revocation of a registration certificate of a geologist, is
29 amended to read as follows:

30 (3) Any felony listed under § 17-2-102;

31
32 SECTION 40. Arkansas Code § 17-35-301(c)(2), concerning the
33 registration of interior designers, is amended to read as follows:

34 (2) Has not been convicted of an offense listed under § 17-2-102
35 that bears directly on the fitness of the applicant to be registered;

1 SECTION 41. Arkansas Code § 17-35-305(5), concerning grounds of
2 revocation for a license of an interior designer, is amended to read as
3 follows:

4 (5) The holder of the registration has been guilty of a felony
5 listed under § 17-2-102;

6
7 SECTION 42. Arkansas Code § 17-36-303(a), concerning examination for
8 licensure as a landscape architect, is amended to read as follows:

9 (a) An applicant for licensure shall:

10 (1) Be at least twenty-one (21) years of age; and

11 ~~(2) Be of good moral character; and~~

12 ~~(3)~~ (2) Pass an examination covering the matters confronting
13 landscape architects that is prepared by:

14 (A) The Arkansas State Board of Architects, Landscape
15 Architects, and Interior Designers; or

16 (B) Another entity as selected by the Arkansas State Board
17 of Architects, Landscape Architects, and Interior Designers.

18
19 SECTION 43. Arkansas Code § 17-36-306(5), concerning the grounds of
20 revocation for a landscape architect, is amended to read as follows:

21 (5) The holder of the license or certificate has been guilty of
22 a felony listed under § 17-2-102;

23
24 SECTION 44. Arkansas Code § 17-42-311(a), concerning violations of the
25 real estate license law, is amended to read as follows:

26 (a) The following acts, conduct, or practices are prohibited, and any
27 licensee found guilty shall be subject to disciplinary action as provided in
28 § 17-42-312:

29 (1) Obtaining a license by means of fraud, misrepresentation, or
30 concealment;

31 (2) Violating any of the provisions of this chapter or any rules
32 ~~or regulations adopted pursuant to~~ under this chapter or any order issued
33 under this chapter;

34 (3) Being convicted of or pleading guilty or nolo contendere to
35 a felony listed under § 17-2-102 or crime involving ~~moral turpitude~~ violence,
36 *fraud*, dishonesty, untruthfulness, or untrustworthiness regardless of whether

1 the imposition of sentence has been deferred or suspended;

2 (4) Making any substantial misrepresentation;

3 (5) Making, printing, publishing, distributing, or causing,
4 authorizing, or knowingly permitting the making, printing, publication, or
5 distribution of false statements, descriptions, or promises of such character
6 as to reasonably induce, persuade, or influence any person to act thereon;

7 (6) Failing within a reasonable time to account for or to remit
8 any moneys coming into his or her possession which belong to others;

9 (7) Committing any act involving ~~moral turpitude~~ violence,
10 *fraud*, dishonesty, untruthfulness, or untrustworthiness;

11 (8) Acting for more than one (1) party in a transaction without
12 the knowledge of all parties for whom he or she acts or accepting a
13 commission or valuable consideration for the performance of any of the acts
14 specified in this chapter from any person except the licensed principal
15 broker under whom he or she is licensed;

16 (9) Acting as a broker or salesperson while not licensed with a
17 principal broker, representing or attempting to represent a broker other than
18 the principal broker with whom he or she is affiliated without the express
19 knowledge and consent of the principal broker, or representing himself or
20 herself as a salesperson or having a contractual relationship similar to that
21 of a salesperson with anyone other than a licensed principal broker;

22 (10) Advertising in a false, misleading, or deceptive manner;

23 (11) Being unworthy or incompetent to act as a real estate
24 broker or salesperson in such a manner as to safeguard the interests of the
25 public;

26 (12) Paying a commission or valuable consideration to any person
27 for acts or services performed in violation of this chapter, including paying
28 a commission or other valuable consideration to an unlicensed person for
29 participation in a real estate auction; and

30 (13) Any other conduct, whether of the same or a different
31 character from that specified in this section, which constitutes improper,
32 fraudulent, or dishonest dealing.

33
34 SECTION 45. Arkansas Code § 17-42-315(f), concerning the criminal
35 background check for real estate licensees, is amended to read as follows:

36 (f) Except as provided in subsection (g) of this section, a person

1 shall not receive or hold a license issued by the commission if the person
2 has been convicted of or pleaded guilty or nolo contendere to a felony listed
3 under § 17-2-102 or a crime involving ~~moral turpitude~~ violence, fraud,
4 dishonesty, untruthfulness, or untrustworthiness.

5
6 SECTION 46. Arkansas Code § 17-42-509(c)(3), concerning the issuance
7 or denial of a license for an instructor of real estate education license, is
8 amended to read as follows:

9 (3) The person or entity has pleaded guilty or nolo contendere
10 to or been found guilty of a felony listed under § 17-2-102 or a misdemeanor
11 involving violence, fraud, misrepresentation, or dishonest or dishonorable
12 dealing in a court of competent jurisdiction; or

13
14 SECTION 47. Arkansas Code § 17-42-515(3), concerning the violations
15 that disqualify for a real estate educator license or licensee, is amended to
16 read as follows:

17 (3) Committing an act, a felony listed under § 17-2-102, or a
18 crime involving ~~moral turpitude~~ violence, fraud, dishonesty, untruthfulness,
19 or untrustworthiness regardless of whether the imposition of the sentence has
20 been deferred or suspended;

21
22 SECTION 48. Arkansas Code § 17-43-303(a), concerning the application
23 for examination for a sanitarian certificate of registration, is amended to
24 read as follows:

25 (a) The Arkansas State Board of Sanitarians shall admit to examination
26 any person who makes application to the Secretary of the Arkansas State Board
27 of Sanitarians on forms prescribed and furnished by the board, and pays an
28 application fee of twenty dollars (\$20.00) to defray the expense of
29 examination, ~~and submits evidence satisfactory to the board that he or she is~~
30 ~~of good moral character.~~

31
32 SECTION 49. Arkansas Code § 17-43-307 is amended to read as follows:

33 17-43-307. Reciprocity.

34 The Arkansas State Board of Sanitarians shall issue a certificate of
35 registration without examination to any person who makes application on forms
36 prescribed and furnished by the board, pays a registration fee of ten dollars

1 (\$10.00), and submits satisfactory proof that he or she:

2 ~~(1) Is of good moral character;~~

3 ~~(2)~~(1) Has had at least two (2) years' experience in the field
4 of environmental sanitation; and

5 ~~(3)~~(2) Is registered as a sanitarian in a state in which the
6 qualifications for registration are not lower than the qualifications for
7 registration in this state at the time he or she applies for registration.
8

9 SECTION 50. Arkansas Code § 17-43-309(a), concerning the grounds for
10 suspension, revocation, or refusal to renew a sanitarian certificate of
11 registration, is amended to read as follows:

12 (a) The Arkansas State Board of Sanitarians may suspend, revoke, or
13 refuse to renew a certificate of registration upon proof that the applicant+

14 ~~(1) Is not of good character; or~~

15 ~~(2) Is~~ is guilty of fraud, deceit, gross negligence,
16 incompetency, or misconduct in relation to his or her duties as a sanitarian.
17

18 SECTION 51. Arkansas Code § 17-47-302(a), concerning the eligibility
19 and application for registration as a professional soil classifier or soil
20 classifier-in-training, is amended to read as follows:

21 (a) To be eligible for registration as a professional soil classifier
22 or certification as a soil classifier-in-training, an applicant ~~must+~~

23 ~~(1) Be of good character and reputation; and~~

24 ~~(2) Submit~~ shall submit a written application to the Arkansas
25 State Board of Registration for Professional Soil Classifiers containing ~~such~~
26 information ~~as~~ the board may require, together with five (5) references,
27 three (3) of which shall be professional soil classifiers having personal
28 knowledge of his or her soil classifying experience or, in the case of an
29 application for certification as a soil classifier-in-training, three (3)
30 character references.
31

32 SECTION 52. Arkansas Code § 17-47-311 is amended to read as follows:

33 17-47-311. Disciplinary actions – Grounds.

34 The Arkansas State Board of Registration for Professional Soil
35 Classifiers shall have the power to suspend, refuse to renew, or revoke the
36 certificate of registration of, or reprimand, any registrant who is guilty

1 of:

- 2 (1) Fraud or deceit in obtaining a certificate of registration;
3 (2) Gross negligence, incompetence, or misconduct in the
4 practice of soil classifying;
5 (3) A felony listed under § 17-2-102 ~~or crime involving moral~~
6 ~~turpitude~~; or
7 (4) A violation of the code of ethics adopted and promulgated by
8 the board.

9
10 SECTION 53. Arkansas Code § 17-48-203(a), concerning the
11 qualifications for certification as a surveyor, is amended to read as
12 follows:

13 (a) A person who shows to the satisfaction of the State Board of
14 Licensure for Professional Engineers and Professional Surveyors that he or
15 she is a person ~~of good character and reputation and~~ over twenty-one (21)
16 years of age ~~shall be~~ is eligible for licensure as a professional surveyor if
17 he or she qualifies under one (1) of the following provisions:

18 (1) A person holding a certificate of licensure to engage in the
19 practice of land surveying issued to him or her on the basis of a written
20 examination by proper authority of a state, territory, possession of the
21 United States, the District of Columbia, or any foreign country, based on
22 requirements and qualifications as shown on his or her application that in
23 the opinion of the board are equal to or higher than the requirements of this
24 chapter may be licensed at the discretion of the board;

25 (2)(A) A graduate from an approved engineering curriculum with
26 sufficient surveying courses or a surveying technology curriculum of two (2)
27 years or more approved by the board, followed by at least two (2) years of
28 land surveying that must be surveying experience of a character satisfactory
29 to the board, who has passed a written examination designed to show that he
30 or she is qualified to practice land surveying in this state, may be licensed
31 if he or she is otherwise qualified.

32 (B) Each year of teaching land surveying in an approved
33 engineering or surveying curriculum may be considered as equivalent to one
34 (1) year of land surveying experience; or

35 (3)(A) An applicant who cannot qualify under subdivision (a)(2)
36 of this section and who has six (6) years or more of active experience in

1 land surveying of a character satisfactory to the board and who has passed a
2 written examination designed to show that he or she is qualified to practice
3 land surveying may be granted a certificate of licensure to practice land
4 surveying in this state if he or she is otherwise qualified.

5 (B) Each year of satisfactory work in an approved
6 engineering or engineering technology curriculum majoring in surveying may be
7 considered as one (1) year of experience in land surveying, but not exceeding
8 two (2) years.

9
10 SECTION 54. Arkansas Code § 17-48-203(c), concerning the
11 qualifications for licensure as a surveyor intern, is amended to read as
12 follows:

13 (c) ~~A person who shows to the satisfaction of the board that he or she~~
14 ~~is a person of good character~~ shall be eligible for licensure as a surveyor
15 intern if he or she qualifies under one (1) of the following provisions:

16 (1) A person holding a certificate of licensure as a surveyor
17 intern issued to him or her on the basis of a written examination by proper
18 authority of a state, territory, possession of the United States, the
19 District of Columbia, or any foreign country, based on requirements and
20 qualifications as shown on his or her application, which requirements and
21 qualifications, in the opinion of the board, are equal to or higher than the
22 requirements of this chapter, may be licensed as a surveyor intern at the
23 discretion of the board;

24 (2) A graduate from an approved engineering curriculum with
25 sufficient surveying courses, or a surveying technology curriculum of two (2)
26 years or more, approved by the board, who has passed a written examination
27 designed to show that he or she is proficient in surveying fundamentals, may
28 be licensed if he or she is otherwise qualified; or

29 (3)(A) An applicant who cannot qualify under subdivision (c)(2)
30 of this section and who has four (4) years or more of active experience in
31 land surveying of a character satisfactory to the board and who has passed a
32 written examination designed to show that he or she is proficient in
33 surveying fundamentals may be licensed if he or she is otherwise qualified.

34 (B) Each year of satisfactory work in an approved
35 engineering or engineering technology curriculum majoring in surveying may be
36 considered as one (1) year of experience in land surveying, but not exceeding

1 two (2) years.

2
3 SECTION 55. Arkansas Code § 17-48-205(a)(2)(A), concerning the
4 administrative violations and penalties of a surveyor, is amended to read as
5 follows:

6 (A) A felony listed under § 17-2-102;

7
8 SECTION 56. Arkansas Code § 17-50-301(a)(2), concerning applicant
9 qualifications for registration as a certified water well driller or
10 certified pump installer, is repealed.

11 ~~(2) Is of good moral character;~~

12
13 SECTION 57. Arkansas Code § 17-52-308(b)(3), concerning complaints
14 against and disciplinary procedures for a home inspector, is amended to read
15 as follows:

16 ~~(3)(A) Conviction in any jurisdiction of a misdemeanor involving~~
17 ~~moral turpitude or~~ of any felony listed under § 17-2-102;

18 ~~(B) A plea of nolo contendere or no contest is considered~~
19 ~~a conviction for the purposes of this section;~~

20
21 SECTION 58. Arkansas Code § 17-52-315(a), concerning the application
22 for registration as a home inspector, is amended to read as follows:

23 (a) Any person applying for registration or renewal of registration as
24 a home inspector shall ~~be of good moral character and shall~~ submit to the
25 Arkansas Home Inspector Registration Board:

26 (1) An application under oath upon a form to be prescribed by
27 the board;

28 (2) A current certificate of insurance issued by an insurance
29 company licensed or surplus lines approved to do business in this state that
30 states that the applicant has procured general liability insurance in the
31 minimum amount of one hundred thousand dollars (\$100,000) and, if applicable,
32 workers' compensation insurance; and

33 (3) The required registration or registration renewal fee with
34 the application.

35
36 SECTION 59. Arkansas Code § 17-81-304(a)(2), concerning the

1 application for licensure as a chiropractor, is amended to read as follows:

2 (2) The applicant must submit proof satisfactory to the board of
3 graduation from a chartered school or college of chiropractic as herein
4 described and file with his or her application the affidavits of at least two
5 (2) licensed and reputable doctors of chiropractic ~~showing him or her to be~~
6 ~~of good moral character.~~

7
8 SECTION 60. Arkansas Code § 17-81-305(a)(6), concerning the
9 qualifications of applicants for licensure as a chiropractor, is repealed.

10 ~~(6) Be of good moral character;~~

11
12 SECTION 61. Arkansas Code § 17-81-318(e), concerning the criminal
13 background check required for a chiropractor, is amended to read as follows:

14 (e) Except as provided in subsection (f) of this section, a person
15 shall not receive or hold a license issued by the board if the person has
16 been convicted of or pleaded guilty or nolo contendere to any felony listed
17 under § 17-2-102 or a crime involving ~~moral turpitude~~, fraud, dishonesty,
18 untruthfulness, or untrustworthiness, or is a registered sex offender or
19 required to register as a sex offender.

20
21 SECTION 62. Arkansas Code § 17-82-304(b), concerning the licensing
22 procedure for dentists, is amended to read as follows:

23 (b) An applicant:

24 (1) ~~Must~~ Shall:

25 (A) Be at least twenty-one (21) years of age ~~and of good~~
26 ~~moral reputation and character;~~

27 (B) Submit upon request ~~such~~ proof as required by the
28 board ~~may require~~ touching upon age, ~~character~~, and fitness; and

29 (C) Have ~~been~~ graduated from an American Dental
30 Association-accredited college of dentistry with the degree of Doctor of
31 Dental Surgery or Doctor of Dental Medicine; or

32 (2) ~~Must~~ Shall:

33 (A) Be at least twenty-one (21) years of age ~~and of good~~
34 ~~moral reputation and character;~~

35 (B) Have graduated from a college of dentistry in North
36 America with the degree of Doctor of Dental Surgery, Doctor of Dental

1 Medicine, or an equivalent degree approved by the board;

2 (C) Have passed an examination approved by the board and
3 authorized under § 17-82-303;

4 (D) Be a resident of the State of Arkansas and the United
5 States and be in compliance with federal laws of immigration; and

6 (E) Serve a period of at least one (1) year under a
7 provisional license issued by the board to foreign graduates and successfully
8 complete the monitoring requirements as ordered by the board at the time the
9 provisional license is issued.

10
11 SECTION 63. Arkansas Code § 17-82-306(b), concerning the licensing
12 procedures for dental hygienists, is amended to read as follows:

13 (b) An applicant ~~must~~ shall:

14 ~~(1) Be of good moral reputation and character;~~

15 ~~(2)(1)~~ Have graduated from a dental hygiene program which is
16 accredited by the American Dental Association Commission on Dental
17 Accreditation and approved by the board for the training of dental
18 hygienists; and

19 ~~(3)(2)~~ Submit upon request ~~such~~ proof as required by the board
20 may require touching upon ~~character and~~ fitness.

21
22 SECTION 64. Arkansas Code § 17-82-308(b)(3), concerning the
23 credentials for dentists and dental hygienists licensed in other states, is
24 amended to read as follows:

25 (3) A certificate from the authority which issued the license,
26 setting forth the applicant's ~~moral reputation and character~~, history with
27 the board, professional ability, and such other information or data as the
28 board may deem necessary or expedient.

29
30 SECTION 65. Arkansas Code § 17-82-316(c)(3), concerning the revocation
31 or suspension of a license for a dentist, dental hygienist, or dental
32 assistant, is amended to read as follows:

33 (3) The commission of any criminal operation; habitual
34 drunkenness for a period of three (3) months; insanity; adjudication of
35 insanity or mental incompetency if deemed detrimental to patients; conviction
36 of ~~an infamous crime or~~ a felony listed under § 17-2-102; addiction to

1 narcotics; immoral, dishonorable, or scandalous conduct; professional
2 incompetency; failure to maintain proper standards of sanitation or failure
3 otherwise to maintain adequate safeguards for the health and safety of
4 patients; or employment in the practice of the profession of any drug,
5 nostrum, unknown formula, or dangerous or unknown anesthetic not generally
6 used by the dental profession;

7
8 SECTION 66. Arkansas Code § 17-82-802 is amended to read as follows:
9 17-82-802. License eligibility.

10 A person shall not be eligible to receive or hold a license to practice
11 dentistry or another healthcare profession issued by the Arkansas State Board
12 of Dental Examiners if the person has pleaded guilty or nolo contendere or
13 has been found guilty of ~~either an infamous crime that would impact his or~~
14 ~~her ability to practice dentistry or oral hygiene in the State of Arkansas or~~
15 ~~a felony, regardless of whether the conviction has been sealed, expunged, or~~
16 ~~pardoned~~ listed under § 17-2-102.

17
18 SECTION 67. Arkansas Code § 17-83-307 is amended to read as follows:
19 17-83-307. Grounds for denial, revocation, or suspension.

20 The Arkansas Dietetics Licensing Board may refuse to issue or renew a
21 license or may revoke or suspend a license issued under this chapter for any
22 of the following, but is not limited to:

- 23 (1) Violation of a provision of this chapter;
24 (2) Engaging in unprofessional conduct or gross incompetence as
25 defined by the rules of the board or violating the standards of professional
26 responsibility adopted and published by the board; or
27 (3) ~~Conviction in this or any other state of any crime that is a~~
28 ~~felony in this state~~ of a felony listed under § 17-2-102; or
29 ~~(4) Conviction of a felony in a federal court.~~

30
31 SECTION 68. Arkansas Code § 17-84-304(a)(3), concerning the
32 qualifications for licensure and internship for hearing instrument
33 dispensers, is amended to read as follows:

- 34 (3) Show to the satisfaction of the board that he or she:
35 (A) Is twenty (20) years of age or older; and
36 (B) Has an education equivalent of two (2) or more years

1 of accredited college-level course work from a regionally accredited college
2 or university; ~~and~~

3 ~~(C) Is of good moral character.~~

4
5 SECTION 69. Arkansas Code § 17-84-308(a)(1), concerning the
6 suspension, revocation, nonissuance, or nonrenewal of a hearing instrument
7 dispenser license, is amended to read as follows:

8 (1) Being convicted of a crime ~~involving moral turpitude. A~~
9 ~~record of a conviction, certified by the judge or the clerk of the court~~
10 ~~where the conviction occurred, shall be sufficient evidence to warrant~~
11 ~~suspension, revocation, or refusal to issue or renew~~ listed under § 17-2-102;
12

13 SECTION 70. Arkansas Code § 17-86-203(e)-(h), concerning the powers
14 and duties of the State Board of Health regarding massage therapy licenses,
15 are amended to read as follows:

16 (e)~~(1)~~ For purposes of this section, ~~an applicant is not eligible to~~
17 ~~receive or hold a license issued by the Department of Health if the applicant~~
18 ~~has pleaded guilty or nolo contendere to or been found guilty of a felony or~~
19 ~~Class A misdemeanor or any offense involving fraud, theft, dishonesty, sexual~~
20 ~~misconduct, sexual solicitation, lewd behavior, child abuse or molestation,~~
21 ~~statutory rape, sexual assault, human trafficking, or other violent crimes~~
22 the board shall follow the licensing restrictions based on criminal records
23 under § 17-2-102.

24 ~~(2) A provision of this section may be waived by the Department~~
25 ~~of Health if:~~

26 ~~(A) The conviction is for a Class A misdemeanor and:~~

27 ~~(i) The completion of the applicant's sentence and~~
28 ~~probation or completion of the applicant's sentence or probation of the~~
29 ~~offense is at least three (3) years from the date of the application; and~~

30 ~~(ii) The applicant has no criminal convictions~~
31 ~~during the three year period; or~~

32 ~~(B) The conviction is for a felony of any classification~~
33 ~~and:~~

34 ~~(i) The completion of the applicant's sentence and~~
35 ~~probation or the completion of the applicant's sentence or probation of the~~
36 ~~offense is at least five (5) years from the date of the application; and~~

1 ~~(ii) The applicant has no criminal convictions~~
2 ~~during the five year period.~~

3 ~~(f) The Department of Health may permit an applicant to be licensed~~
4 ~~regardless of having been convicted of an offense listed in this section,~~
5 ~~upon making a determination that the applicant does not pose a risk of harm~~
6 ~~to any person served by the Department of Health.~~

7 ~~(g) In making a determination under subsection (f) of this section,~~
8 ~~the Department of Health may consider the following factors:~~

9 ~~(1) The nature and severity of the crime;~~
10 ~~(2) The consequences of the crime;~~
11 ~~(3) The number and frequency of crimes;~~
12 ~~(4) The relationship between the crime and the health, safety,~~
13 ~~and welfare of persons served by the Department of Health, such as:~~

14 ~~(A) The age and vulnerability of victims of the crime;~~

15 ~~(B) The harm suffered by the victim; and~~

16 ~~(C) The similarity between the victim and persons served~~
17 ~~by the Department of Health;~~

18 ~~(5) The time elapsed without a repeat of the same or similar~~
19 ~~event;~~

20 ~~(6) Documentation of successful completion of training or~~
21 ~~rehabilitation pertinent to the incident; and~~

22 ~~(7) Any other information that bears on the applicant's ability~~
23 ~~to care for others or other relevant information.~~

24 ~~(h) If the Department of Health waives the provisions of subsection~~
25 ~~(e) of this section, the Department of Health shall submit the reasons for~~
26 ~~waiving this provision in writing, and the determination and reasons shall be~~
27 ~~made available to the members of the Department of Health for review.~~

28
29 SECTION 71. Arkansas Code § 17-86-303(a)(1), concerning qualifications
30 for licensure as a massage therapist, is amended to read as follows:

31 (1) Furnish to the Department of Health satisfactory proof that
32 he or she is eighteen (18) years of age or older ~~and of good moral character;~~

33
34 SECTION 72. Arkansas Code § 17-86-311(a), concerning the disciplinary
35 actions and penalties for massage therapists, is amended to read as follows:

36 (a) The Massage Therapy Technical Advisory Committee may deny,

1 suspend, place on probation, or revoke a license upon any one (1) of the
2 following grounds:

3 (1) ~~Conviction of, finding of guilt, or entry of a plea of~~
4 ~~guilty or nolo contendere to a felony, Class A misdemeanor, or prostitution~~ A
5 felony listed under § 17-2-102;

6 (2) Malpractice or gross incompetency;

7 (3) The use in advertisements of untruthful or improbable
8 statements or flamboyant, exaggerated, or extravagant claims concerning the
9 licensee's professional excellence or abilities;

10 (4) Habitual drunkenness or habitual use of any illegal drugs;

11 (5) Serving alcoholic beverages at the clinic or school in a
12 room where massage therapy is being performed or in a massage therapy school;

13 (6) ~~Moral turpitude or immoral or unprofessional~~ Unprofessional
14 conduct;

15 (7) Failure to comply with the Department of Health's Massage
16 Therapy Code of Ethics or any valid regulation or order of the committee;

17 (8) Invasion of the field of practice of any profession for
18 which a license is required, the diagnosis of ailments, diseases, or injuries
19 of human beings, the performance of osseous adjustments, prescription of
20 medications, or other breaches of the scope of practice of massage therapy;

21 (9) Failure of any licensee to comply with this chapter; or

22 (10) Failure to have licensed personnel to perform massage
23 therapy techniques in his or her clinic or school.

24
25 SECTION 73. Arkansas Code § 17-87-301(a), concerning the
26 qualifications for an applicant for licensure as a registered nurse, is
27 amended to read as follows:

28 (a) Qualifications. Before taking the examination or before the
29 issuance of a license by endorsement, an applicant for a license to practice
30 professional nursing shall submit to the Arkansas State Board of Nursing
31 written evidence, verified by oath, that the applicant:

32 ~~(1) Is of good moral character;~~

33 ~~(2)~~ (1) Has completed an approved high school course of study or
34 the equivalent thereof as determined by the appropriate educational agency;
35 and

36 ~~(3)~~ (2) Has completed the required approved professional nursing

1 education program.

2
3 SECTION 74. Arkansas Code § 17-87-304(a), concerning the
4 qualifications of an applicant for licensure as a licensed practical nurse,
5 is amended to read as follows:

6 (a) Qualifications. An applicant for a license to practice practical
7 nursing shall submit to the Arkansas State Board of Nursing evidence,
8 verified by oath, that the applicant:

9 ~~(1) Is of good moral character;~~

10 ~~(2)~~(1) Has completed an approved high school course of study or
11 the equivalent thereof as determined by the appropriate educational agency;
12 and

13 ~~(3)~~(2) Has completed a prescribed curriculum in a state-approved
14 program for the preparation of practical nurses and holds a diploma or
15 certificate therefrom. However, the board may waive this requirement if the
16 board determines the applicant to be otherwise qualified.

17
18 SECTION 75. Arkansas Code § 17-87-305(a), concerning the
19 qualifications of an applicant for licensure as a licensed psychiatric
20 technician nurse, is amended to read as follows:

21 (a) Qualifications. An applicant for a license to practice
22 psychiatric technician nursing shall submit to the Arkansas State Board of
23 Nursing evidence, verified by oath, that the applicant:

24 ~~(1) Is of good moral character;~~

25 ~~(2)~~(1) Has completed an approved high school course of study or
26 the equivalent thereof as determined by the appropriate educational agency;
27 and

28 ~~(3)~~(2) Has completed a prescribed curriculum in a state-approved
29 program for the preparation of psychiatric technician nurses and holds a
30 diploma or certificate therefrom. However, the board may waive this
31 requirement if the board determines the applicant to be otherwise qualified.

32
33 SECTION 76. Arkansas Code § 17-87-312(d)-(1), concerning criminal
34 background checks for nurses, are amended to read as follows:

35 (d) Upon completion of the criminal background check, the
36 Identification Bureau of the Department of Arkansas State Police shall

1 forward to the board all releasable information obtained concerning the
2 applicant ~~in the commission of any offense listed in subsection (e) of this~~
3 ~~section.~~

4 (e) For purposes of this section, the board shall follow the licensing
5 restrictions based on criminal records under § 17-2-102. ~~Except as provided~~
6 ~~in subdivision (1)(1) of this section, a person shall not be eligible to~~
7 ~~receive or hold a license issued by the board if that person has pleaded~~
8 ~~guilty or nolo contendere to or has been found guilty of any of the following~~
9 ~~offenses by a court in the State of Arkansas or of any similar offense by a~~
10 ~~court in another state or of any similar offense by a federal court;~~

11 ~~(1) Capital murder as prohibited in § 5-10-101;~~

12 ~~(2) Murder in the first degree as prohibited in § 5-10-102 and~~
13 ~~murder in the second degree as prohibited in § 5-10-103;~~

14 ~~(3) Manslaughter as prohibited in § 5-10-104;~~

15 ~~(4) Negligent homicide as prohibited in § 5-10-105;~~

16 ~~(5) Kidnapping as prohibited in § 5-11-102;~~

17 ~~(6) False imprisonment in the first degree as prohibited in § 5-~~
18 ~~11-103;~~

19 ~~(7) Permanent detention or restraint as prohibited in § 5-11-~~
20 ~~106;~~

21 ~~(8) Robbery as prohibited in § 5-12-102;~~

22 ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~

23 ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~

24 ~~(11) Aggravated assault as prohibited in § 5-13-204;~~

25 ~~(12) Introduction of a controlled substance into the body of~~
26 ~~another person as prohibited in § 5-13-210;~~

27 ~~(13) Aggravated assault upon a law enforcement officer or an~~
28 ~~employee of a correctional facility, § 5-13-211, if a Class Y felony;~~

29 ~~(14) Terroristic threatening in the first degree as prohibited~~
30 ~~in § 5-13-301;~~

31 ~~(15) Rape as prohibited in § 5-14-103;~~

32 ~~(16) Sexual indecency with a child as prohibited in § 5-14-110;~~

33 ~~(17) Sexual extortion, § 5-14-113;~~

34 ~~(18) Sexual assault in the first degree, second degree, third~~
35 ~~degree, and fourth degree as prohibited in §§ 5-14-124—5-14-127;~~

36 ~~(19) Incest as prohibited in § 5-26-202;~~

1 ~~(20) Felony offenses against the family as prohibited in §§ 5-~~
2 ~~26-303—5-26-306;~~

3 ~~(21) Endangering the welfare of an incompetent person in the~~
4 ~~first degree as prohibited in § 5-27-201;~~

5 ~~(22) Endangering the welfare of a minor in the first degree as~~
6 ~~prohibited in § 5-27-205 and endangering the welfare of a minor in the second~~
7 ~~degree as prohibited in § 5-27-206;~~

8 ~~(23) Permitting abuse of a minor as prohibited in § 5-27-221(a);~~

9 ~~(24) Engaging children in sexually explicit conduct for use in~~
10 ~~visual or print media, transportation of minors for prohibited sexual~~
11 ~~conduct, pandering or possessing visual or print medium depicting sexually~~
12 ~~explicit conduct involving a child, or use of a child or consent to use of a~~
13 ~~child in a sexual performance by producing, directing, or promoting a sexual~~
14 ~~performance by a child as prohibited in §§ 5-27-303—5-27-305, 5-27-402, and~~
15 ~~5-27-403;~~

16 ~~(25) Computer child pornography as prohibited in § 5-27-603;~~

17 ~~(26) Computer exploitation of a child in the first degree as~~
18 ~~prohibited in § 5-27-605;~~

19 ~~(27) Felony adult abuse as prohibited in § 5-28-103;~~

20 ~~(28) Felony theft of property as prohibited in § 5-36-103;~~

21 ~~(29) Felony theft by receiving as prohibited in § 5-36-106;~~

22 ~~(30) Arson as prohibited in § 5-38-301;~~

23 ~~(31) Burglary as prohibited in § 5-39-201;~~

24 ~~(32) Felony violation of the Uniform Controlled Substances Act,~~
25 ~~§ 5-64-101 et seq., as prohibited in the former § 5-64-401 and §§ 5-64-419—~~
26 ~~5-64-442;~~

27 ~~(33) Promotion of prostitution in the first degree as prohibited~~
28 ~~in § 5-70-104;~~

29 ~~(34) Stalking as prohibited in § 5-71-229; and~~

30 ~~(35) Criminal attempt, criminal complicity, criminal~~
31 ~~solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-~~
32 ~~3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

33 (f)(1)(A) The board may issue a nonrenewable temporary permit for
34 licensure to a first-time applicant pending the results of the criminal
35 background check.

36 ~~(B)~~(2) The permit shall be valid for no more than six (6)

1 months.

2 ~~(2) Except as provided in subdivision (1)(1) of this section,~~
3 ~~upon receipt of information from the Identification Bureau of the Department~~
4 ~~of Arkansas State Police that the person holding the letter of provisional~~
5 ~~licensure has pleaded guilty or nolo contendere to, or has been found guilty~~
6 ~~of, any offense listed in subsection (e) of this section, the board shall~~
7 ~~immediately revoke the provisional license.~~

8 ~~(g)(1) The provisions of subsection (e) and subdivision (f)(2) of this~~
9 ~~section may be waived by the board upon the request of:~~

10 ~~(A) An affected applicant for licensure; or~~

11 ~~(B) The person holding a license subject to revocation.~~

12 ~~(2) Circumstances for which a waiver may be granted shall~~
13 ~~include, but not be limited to, the following:~~

14 ~~(A) The age at which the crime was committed;~~

15 ~~(B) The circumstances surrounding the crime;~~

16 ~~(C) The length of time since the crime;~~

17 ~~(D) Subsequent work history;~~

18 ~~(E) Employment references;~~

19 ~~(F) Character references; and~~

20 ~~(G) Other evidence demonstrating that the applicant does~~
21 ~~not pose a threat to the health or safety of the public.~~

22 ~~(h)(1)(g)(1)~~ Any information received by the board from the
23 Identification Bureau of the Department of Arkansas State Police ~~pursuant to~~
24 under this section shall not be available for examination except by:

25 (A) The affected applicant for licensure or his or her
26 authorized representative; or

27 (B) The person whose license is subject to revocation or
28 his or her authorized representative.

29 (2) No record, file, or document shall be removed from the
30 custody of the Department of Arkansas State Police.

31 ~~(i)(h)~~ Any information made available to the affected applicant for
32 licensure or the person whose license is subject to revocation shall be
33 information pertaining to that person only.

34 ~~(j)(i)~~ Rights of privilege and confidentiality established in this
35 section shall not extend to any document created for purposes other than this
36 background check.

1 ~~(k)(j)~~ The board shall adopt the necessary rules and regulations to
2 fully implement the provisions of this section.

3 ~~(1)(1)~~ For purposes of this section, an expunged record of a
4 conviction or a plea of guilty or nolo contendere to an offense listed in
5 subsection (c) of this section shall not be considered a conviction, guilty
6 plea, or nolo contendere plea to the offense unless the offense is also
7 listed in subdivision (1)(2) of this section.

8 ~~(2)~~ Because of the serious nature of the offenses and the close
9 relationship to the type of work that is to be performed, the following shall
10 result in permanent disqualification:

- 11 ~~(A)~~ Capital murder as prohibited in § 5-10-101;
- 12 ~~(B)~~ Murder in the first degree as prohibited in § 5-10-102
- 13 ~~and murder in the second degree as prohibited in § 5-10-103;~~
- 14 ~~(C)~~ Kidnapping as prohibited in § 5-11-102;
- 15 ~~(D)~~ Aggravated assault upon a law enforcement officer or
- 16 ~~an employee of a correctional facility, § 5-13-211, if a Class Y felony;~~
- 17 ~~(E)~~ Rape as prohibited in § 5-14-103;
- 18 ~~(F)~~ Sexual extortion, § 5-14-113;
- 19 ~~(G)~~ Sexual assault in the first degree as prohibited in §
- 20 ~~5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;~~
- 21 ~~(H)~~ Incest as prohibited in § 5-26-202;
- 22 ~~(I)~~ Endangering the welfare of an incompetent person in
- 23 ~~the first degree as prohibited in § 5-27-201;~~
- 24 ~~(J)~~ Endangering the welfare of a minor in the first degree
- 25 ~~as prohibited in § 5-27-205;~~
- 26 ~~(K)~~ Adult abuse that constitutes a felony as prohibited in
- 27 ~~§ 5-28-103; and~~
- 28 ~~(L)~~ Arson as prohibited in § 5-38-301.

29
30 SECTION 77. Arkansas Code § 17-87-707(a)(1), concerning disciplinary
31 actions for nurses, is amended to read as follows:

32 (1) Has been found guilty of or pleads guilty or nolo contendere
33 to:

34 (A) Fraud or deceit in procuring or attempting to procure
35 a medication assistive person certificate; or

36 (B) Providing services as a medication assistive person

1 without a valid certificate; ~~or~~

2 ~~(C) Committing a crime of moral turpitude;~~

3
4 SECTION 78. Arkansas Code § 17-88-302(2), concerning the
5 qualifications of an applicant for licensure as an occupational therapist, is
6 repealed.

7 ~~(2) The applicant must be of good moral character;~~

8
9 SECTION 79. Arkansas Code § 17-88-309(b)(4), concerning the denial,
10 revocation, or suspension of an occupational therapist license, is amended to
11 read as follows:

12 (4) Being convicted of a ~~crime, other than minor offenses~~
13 ~~defined as "minor misdemeanors", "violations", or "offenses", in any court if~~
14 ~~the acts for which the applicant or licensee was convicted are found by the~~
15 ~~board to have a direct bearing on whether he or she should be entrusted to~~
16 ~~serve the public in the capacity of an occupational therapist or occupational~~
17 ~~therapy assistant~~ felony listed under § 17-2-102; and

18
19 SECTION 80. Arkansas Code § 17-89-302(a), concerning the
20 qualifications of an applicant for licensure as a licensed dispensing
21 optician, is amended to read as follows:

22 (a) Every applicant for examination as a licensed dispensing optician
23 shall present satisfactory evidence to the Arkansas Board of Dispensing
24 Opticians that he or she is over twenty-one (21) years of age, ~~of good moral~~
25 ~~character~~, a high school graduate or the equivalent thereof, and either:

26 (1) Is a graduate of a school of opticianry whose curriculum
27 consists of at least eighteen (18) months of didactic and practical
28 instruction which is accredited by a national accreditation organization and
29 approved by the board; or

30 (2)(A) Has been engaged in the providing of ophthalmic
31 dispensing services, as defined in this chapter, in the State of Arkansas for
32 a period of not less than five (5) years immediately before application.

33 (B) No more than three (3) years may consist of:

34 (i) Working in a qualified service optical
35 laboratory approved by the board; or

36 (ii) Providing ophthalmic dispensing services under

1 the direct supervision of an Arkansas-licensed or registered dispensing
2 optician, Arkansas-licensed optometrist, or Arkansas physician skilled in
3 diseases of the eye.

4
5 SECTION 81. Arkansas Code § 17-89-303 is amended to read as follows:

6 17-89-303. Qualifications – Registered dispensing opticians.

7 Every applicant for examination as a registered dispensing optician
8 shall present satisfactory evidence to the Arkansas Board of Dispensing
9 Opticians that he or she is over twenty-one (21) years of age, ~~of good moral~~
10 ~~character~~, a high school graduate or the equivalent thereof, and either:

11 (1) Has a minimum of three (3) years' dispensing experience in
12 Arkansas under the direct supervision of an Arkansas-licensed optometrist or
13 Arkansas-licensed physician skilled in disease of the eye;

14 (2) Has a minimum of three (3) years' experience under the
15 direct supervision of a licensed or registered dispensing optician holding a
16 certificate of licensure or registry in the State of Arkansas, one (1) year
17 of which may be while working in a qualified full-service optical laboratory
18 approved by the board; or

19 (3) Is a graduate of an approved school of opticianry which has
20 been accredited by a national accreditation organization and is recognized by
21 the board.

22
23 SECTION 82. Arkansas Code § 17-89-305(b), concerning reciprocity for
24 dispensing opticians, is amended to read as follows:

25 (b) The certificate may be issued without a written or practical
26 examination upon payment of the fee prescribed in § 17-89-304(f) to the
27 Secretary-treasurer of the Arkansas Board of Dispensing Opticians and upon
28 satisfactory proof that the applicant:

29 (1) Is qualified under the provisions of this chapter;

30 ~~(2) Is of good moral character;~~

31 ~~(3)~~ (2) Has provided ophthalmic dispensing services to the public
32 as a dispensing optician in the state of licensure or registration for a
33 period of at least five (5) years for licensure or three (3) years for
34 registration immediately before his or her application for reciprocity to
35 this state; and

36 ~~(4)~~ (3) Is licensed or registered in a state which grants like

1 reciprocal privileges to opticians who hold certificates of licensure or
2 registry issued by this state.

3
4 SECTION 83. Arkansas Code § 17-89-306(b), concerning an ophthalmic
5 dispensers from nonlicensing states seeking licensure as a dispensing
6 opticians in Arkansas, is amended to read as follows:

7 (b) The applicant ~~must~~ shall:

8 (1) Be qualified under the provisions of this chapter;

9 ~~(2) Be of good moral character;~~

10 ~~(3)~~ (2) Have been engaged in ophthalmic dispensing as described
11 in § 17-89-102(4) for a period of:

12 (A) Five ~~(5)~~ years for applicants for licensure, of which
13 no more than three ~~(3)~~ years may be while working in a qualified full-service
14 optical laboratory approved by the board; or

15 (B) Three ~~(3)~~ years for applicants for registry, of which
16 no more than one ~~(1)~~ year may be while working in a qualified full-service
17 laboratory approved by the board immediately before the date of application;

18 ~~(4)~~ (3) Successfully complete the written and practical
19 examination for licensure or registry prepared and conducted by the board;
20 and

21 ~~(5)~~ (4) Have paid the fee prescribed in § 17-89-304(f) to the
22 Secretary-treasurer of the Arkansas Board of Dispensing Opticians.

23
24 SECTION 84. Arkansas Code § 17-89-309(a)(3), concerning grounds of
25 denial, suspension, or revocation of a licensure or registration of an
26 ophthalmic dispensers, is amended to read as follows:

27 (3) The applicant, licensee, or registrant being convicted of a
28 felony listed under § 17-2-102 in any state or federal court, and not
29 ~~pardoned, if the acts for which the person is convicted are found by the~~
30 ~~board to have a direct bearing on whether he or she should be entrusted to~~
31 ~~serve the public in the capacity of a dispensing optician;~~

32
33 SECTION 85. Arkansas Code § 17-90-301(b), concerning examinations for
34 licensure as an optometrist, is amended to read as follows:

35 (b) Every applicant for examination shall present satisfactory
36 evidence that he or she is:

1 (1) ~~Over~~ At least twenty-one (21) years of age;
2 (2) A successful candidate having passed all parts of the
3 National Board of Examiners in Optometry examination since January 1, 1997;
4 and

5 ~~(3) Of good moral character; and~~
6 ~~(4)~~(3) A graduate of a college of optometry that has been
7 accredited by the Accreditation Council on Optometric Education of the
8 American Optometric Association.

9
10 SECTION 86. Arkansas Code § 17-90-302(c)(3), concerning licensure by
11 endorsement for optometrists, is amended to read as follows:

12 (3) A certificate of good standing from each authority which
13 issued the license, setting forth the applicant's ~~moral reputation and~~
14 ~~character~~, history with the authority, professional ability, continuing
15 education compliance, and other information or data as the State Board of
16 Optometry may deem necessary or expedient;

17
18 SECTION 87. Arkansas Code § 17-90-305(a)(3), concerning the grounds
19 for denial, revocation, or suspension of an optometrist license, is amended
20 to read as follows:

21 (3) Conviction of a felony listed under § 17-2-102 or the
22 conviction of a misdemeanor, if the misdemeanor conduct would denote an
23 impairment in the ability to practice optometry;

24
25 SECTION 88. Arkansas Code § 17-91-101(a), concerning the licensing
26 requirements for an osteopathic physician, is amended to read as follows:

27 (a) The Arkansas State Medical Board shall accept for licensure by
28 examination any person who:

29 (1) Is at least twenty-one (21) years of age;
30 (2) Is a citizen of the United States;
31 ~~(3) Is of good moral character;~~
32 ~~(4)~~(3) Has not been guilty of acts constituting unprofessional
33 conduct as defined in the Arkansas Medical Practices Act, § 17-95-201 et
34 seq., § 17-95-301 et seq., and § 17-95-401 et seq.;

35 ~~(5)~~(4) Is a graduate of an osteopathic college of medicine whose
36 course of study has been recognized by the Department of Education of the

1 American Osteopathic Association; and

2 ~~(6)~~(5) Has completed a one-year internship in a hospital
3 approved by the American Medical Association or the American Osteopathic
4 Association.

5
6 SECTION 89. Arkansas Code § 17-92-305(a), concerning qualification of
7 applicants for licensure as a pharmacist, is amended to read as follows:

8 (a) Each applicant for examination as a pharmacist shall:

9 (1) ~~Shall be~~ Be not less than twenty-one (21) years of age; and

10 ~~(2) Shall be of good moral character and temperate habits; and~~

11 ~~(3)~~(2) ~~Shall have~~ Have:

12 (A) Graduated and received the first professional
13 undergraduate degree from a pharmacy degree program which has been approved
14 by the Arkansas State Board of Pharmacy; or

15 (B) Graduated from a foreign college of pharmacy,
16 completed a transcript verification program, taken and passed a college of
17 pharmacy equivalency exam program, and completed a process of communication
18 ability testing as defined under board regulations so that it is assured that
19 the applicant meets standards necessary to protect public health and safety.

20
21 SECTION 90. Arkansas Code § 17-92-311(a)(3), concerning grounds for
22 revocation, suspension, or nonrenewal of licensure or registration, is amended
23 to read as follows:

24 (3) The person has been found guilty or pleaded guilty or nolo
25 contendere in a criminal proceeding, regardless of whether or not the
26 adjudication of guilt or sentence is withheld by a court of this state,
27 another state, or the United States Government for:

28 (A) Any felony listed under § 17-2-102;

29 (B) Any act involving ~~moral turpitude~~, gross immorality,
30 or which is related to the qualifications, functions, and duties of a
31 licensee; or

32 (C) Any violation of the pharmacy or drug laws or rules of
33 this state, or of the pharmacy or drug statutes, rules, and regulations of
34 any other state or of the United States Government;

35
36 SECTION 91. Arkansas Code § 17-92-317(e), concerning criminal

1 background check requirements for an intern or pharmacist license or a
2 pharmacy technician registration, is amended to read as follows:

3 (e) Notwithstanding the provisions of § 17-1-103, ~~no person shall be a~~
4 person is not eligible to receive or hold an intern or pharmacist license or
5 pharmacy technician registration issued by the board if that person has
6 pleaded guilty or nolo contendere to, or has been found guilty of, any of the
7 following offenses, regardless of whether an adjudication of guilt or
8 sentencing or imposition of sentence is withheld, by any court in the State
9 of Arkansas or of any similar offense by a court in another state or of any
10 similar offense by a federal court:

11 (1) Any felony listed under § 17-2-102;

12 (2) Any act involving ~~moral turpitude~~, gross immorality,
13 dishonesty, or which is related to the qualifications, functions, and duties
14 of a person holding the license or registration; or

15 (3) Any violation of Arkansas pharmacy or drug law or
16 regulations, including, but not limited to, this chapter, the Uniform
17 Controlled Substances Act, § 5-64-101 et seq., and the Food, Drug, and
18 Cosmetic Act, § 20-56-201 et seq.

19
20 SECTION 92. Arkansas Code § 17-93-303(b), concerning qualification of
21 applicants for licensure as a physical therapist, is amended to read as
22 follows:

23 (b) Each physical therapist applicant shall:

24 (1) Be at least twenty-one (21) years of age;

25 ~~(2) Be of good moral character;~~

26 ~~(3)~~(2) Have graduated from a school of physical therapy
27 accredited by a national accreditation agency approved by the board;

28 ~~(4)~~(3) Have passed examinations selected and approved by the
29 board; and

30 ~~(5)~~(4) Submit fees as determined by the board.

31
32 SECTION 93. Arkansas Code § 17-93-304(b), concerning qualification of
33 applicants for licensure as a physical therapist assistant, is amended to
34 read as follows:

35 (b) Each physical therapist assistant applicant shall:

36 (1) Be at least eighteen (18) years of age;

~~(2) Be of good moral character;~~

~~(3)~~(2) Have graduated from a school of physical therapy accredited by a national accreditation agency approved by the Arkansas State Board of Physical Therapy;

~~(4)~~(3) Have passed examinations selected and approved by the Arkansas State Board of Physical Therapy; and

~~(5)~~(4) Submit fees as determined by the Arkansas State Board of Physical Therapy.

SECTION 94. Arkansas Code § 17-93-308(a)(4), concerning the revocation, suspension, or denial of licensure for physical therapists, is repealed.

~~(4) Has been convicted of a crime involving moral turpitude;~~

SECTION 95. Arkansas Code § 17-93-412(a)(1), concerning the revocation, suspension, or denial of a license for an athletic trainer, is amended to read as follows:

(1) Been convicted of a felony ~~or misdemeanor involving moral turpitude, the record of conviction being conclusive evidence of conviction if the board determines after investigation that the person has not been sufficiently rehabilitated to warrant the public trust~~ listed under § 17-2-102;

SECTION 96. Arkansas Code § 17-95-104(a)(2), concerning a hospital's duty to report physician misconduct, is amended to read as follows:

(2) The hospital shall also report any other formal disciplinary action concerning any such physician taken by the hospital upon recommendation of the medical staff relating to professional ethics, medical incompetence, ~~moral turpitude,~~ or drug or alcohol abuse.

SECTION 97. Arkansas Code § 17-95-307 is amended to read as follows:
17-95-307. License eligibility.

~~No~~ A person ~~shall be~~ is not eligible to receive or hold a license to practice medicine or another healthcare profession issued by the Arkansas State Medical Board if the person has pleaded guilty or nolo contendere to or has been found guilty of ~~either an infamous crime that would impact his or~~

1 ~~her ability to practice medicine in the State of Arkansas or a felony listed~~
2 ~~under § 17-2-102, regardless of whether the conviction has been sealed,~~
3 ~~expunged, or pardoned.~~

4
5 SECTION 98. Arkansas Code § 17-95-403(b)(2), concerning qualification
6 of applicants for licensure as a physician, is amended to read as follows:

7 (2) ~~Is of good moral character and has~~ Has not been guilty of
8 acts constituting unprofessional conduct as defined in § 17-95-409;

9
10 SECTION 99. Arkansas Code § 17-95-408(d)(2), concerning annual
11 registration for licensure as a physician, is amended to read as follows:

12 (2) If application for reinstatement is made, the board shall
13 consider the ~~moral character and~~ professional qualifications of the applicant
14 upon notice and hearing before ordering reinstatement. Unless such a showing
15 shall thereupon be made to the board as would entitle the applicant to the
16 issuance of an original license, reinstatement shall be denied.

17
18 SECTION 100. Arkansas Code § 17-95-409(a)(2)(A), concerning the
19 grounds for denial, suspension, or revocation of a physician license, is
20 amended to read as follows:

21 (A)(i) Conviction of ~~any crime involving moral turpitude~~
22 ~~or conviction of~~ a felony listed under § 17-2-102.

23 (ii) The judgment of any such conviction, unless
24 pending upon appeal, shall be conclusive evidence of unprofessional conduct;

25
26 SECTION 101. Arkansas Code § 17-95-903(b)(7), concerning
27 qualifications of an applicant for licensure as a graduate registered
28 physician, is repealed.

29 ~~(7) Is of good moral character; and~~

30
31 SECTION 102. Arkansas Code § 17-95-910 is amended to read as follows:
32 17-95-910. Violation.

33 Following the exercise of due process, the Arkansas State Medical Board
34 may discipline a graduate registered physician who:

35 (1) Fraudulently or deceptively obtains or attempts to obtain a
36 license;

- 1 (2) Fraudulently or deceptively uses a license;
2 (3) Violates any provision of this subchapter or any rules
3 adopted by the board pertaining to this chapter;
4 (4) Is convicted of a felony listed under § 17-2-102;
5 (5) Is a habitual user of intoxicants or drugs to the extent
6 that he or she is unable to safely perform as a graduate registered
7 physician; or
8 (6) Has been adjudicated as mentally incompetent or has a mental
9 condition that renders him or her unable to safely perform as a graduate
10 registered physician; ~~or~~
11 ~~(7) Has committed an act of moral turpitude.~~
12

13 SECTION 103. Arkansas Code § 17-96-303(a), concerning qualifications
14 of an applicant for licensure as a podiatrist, is amended to read as follows:

15 (a) ~~No person shall be entitled to~~ A person shall not take any
16 examination for such registration unless that person shall furnish the
17 Arkansas Board of Podiatric Medicine with satisfactory proof that he or she:

- 18 (1) Is twenty-one (21) years of age or over; and
19 ~~(2) Is of good moral character; and~~
20 ~~(3)~~ (2) Has received a license or certificate of graduation from
21 a legally incorporated, regularly established school of podiatric medicine
22 recognized by the Council on Podiatric Medical Education of the American
23 Podiatric Medical Association within the states, territories, districts, and
24 provinces of the United States or within any foreign country.
25

26 SECTION 104. Arkansas Code § 17-96-308(c)(2)(C), concerning the
27 definition of "unprofessional and dishonest conduct" regarding podiatric
28 medicine licensure, is repealed.

29 ~~(C) Being guilty of an offense involving moral turpitude;~~
30

31 SECTION 105. Arkansas Code § 17-97-201(a)(5)(B), concerning the
32 membership of the Arkansas Psychology Board, is amended to read as follows:

33 (B) The Governor shall remove any member from the board if
34 he or she:

- 35 (i) Ceases to be qualified;
36 (ii) Fails to attend three (3) successive board

1 meetings without just cause as determined by the board;

2 (iii) Is found to be in violation of this chapter;

3 (iv) Pleads guilty or nolo contendere to or is found
4 guilty of a felony ~~or an unlawful act involving moral turpitude~~ listed under
5 § 17-2-102 by a court of competent jurisdiction; or

6 (v) Pleads guilty or nolo contendere to or is found
7 guilty of malfeasance, misfeasance, or nonfeasance in relation to his or her
8 board duties by a court of competent jurisdiction.

9
10 SECTION 106. Arkansas Code § 17-97-302(b)(1), concerning
11 qualifications of an applicant for licensure as a psychologist, is amended to
12 read as follows:

13 (b)(1) A candidate for a license shall furnish the board with
14 satisfactory evidence that he or she:

15 ~~(A) Is of good moral character;~~

16 ~~(B)~~(A) Has received a doctoral degree in psychology from
17 an accredited institution recognized by the board as maintaining satisfactory
18 standards at the time the degree was granted or, in lieu of a degree, a
19 doctoral degree in a closely allied field if it is the opinion of the board
20 that the training required therefor is substantially similar;

21 ~~(C)~~(B) Has had at least two (2) years of experience in
22 psychology of a type considered by the board to be qualifying in nature with
23 at least one (1) of those years being postdoctoral work;

24 ~~(D)~~(C) Is competent in psychology, as shown by passing
25 examinations, written or oral, or both, as the board deems necessary;

26 ~~(E)~~(D) Is not considered by the board to be engaged in
27 unethical practice;

28 ~~(F)~~(E) Has applied for a criminal background check and has
29 not been found guilty of or pleaded guilty or nolo contendere to any of the
30 offenses listed in § 17-97-312(f); and

31 ~~(G)~~(F) Has not failed an examination given by the board
32 within the preceding six (6) months.

33
34 SECTION 107. Arkansas Code § 17-97-303(b)(1), concerning
35 qualifications of an applicant for licensure as a psychological examiner, is
36 amended to read as follows:

1 (b)(1) A candidate for a license shall furnish the board with
2 satisfactory evidence that he or she:

3 ~~(A) Is of good moral character;~~

4 ~~(B)(A)~~ Has a master's degree in psychology or a closely
5 related field from an accredited educational institution recognized by the
6 board as maintaining satisfactory standards;

7 ~~(C)(B)~~ Is competent as a psychological examiner as shown
8 by passing examinations, written or oral, or both, as the board deems
9 necessary;

10 ~~(D)(C)~~ Is not considered by the board to be engaged in
11 unethical practice;

12 ~~(E)(D)~~ Has applied for a criminal background check and has
13 not been found guilty of or pleaded guilty or nolo contendere to any of the
14 offenses listed in § 17-97-312(f); and

15 ~~(F)(E)~~ Has not failed an examination given by the board
16 within the preceding six (6) months.

17
18 SECTION 108. Arkansas Code § 17-97-305(d)(1)(C), concerning the
19 qualifications for examination for a provisional license as a psychologist,
20 is repealed.

21 ~~(C) Has good moral character;~~

22
23 SECTION 109. Arkansas Code § 17-97-305(d)(1)(F), concerning the
24 qualifications for a provisional license for psychologists and psychological
25 examiners, is amended to read as follows:

26 (F) Has not been convicted of ~~a crime involving moral turpitude~~
27 ~~or~~ a felony listed under § 17-2-102;

28
29 SECTION 110. Arkansas Code § 17-97-308(f)(2), concerning annual
30 registration for licensure as a psychologist, is amended to read as follows:

31 (2) If application for reinstatement is made, the board shall
32 consider the ~~moral character and~~ professional qualifications of the applicant
33 as in the case of an original application.

34
35 SECTION 111. Arkansas Code § 17-97-312(d)-(m), concerning criminal
36 background checks for psychologists and psychological examiners, are amended

1 to read as follows:

2 (d) Upon completion of the criminal background check, the
3 Identification Bureau of the Department of Arkansas State Police shall
4 forward to the board all releasable information obtained concerning the
5 applicant ~~in the commission of any offense listed in subsection (f) of this~~
6 ~~section.~~

7 (e) At the conclusion of any background check required by this
8 section, the Identification Bureau of the Department of Arkansas State Police
9 shall promptly destroy the fingerprint card of the applicant.

10 (f) For purposes of this section, the board shall follow the licensing
11 restrictions based on criminal records under § 17-2-102. ~~Except as provided~~
12 ~~in subdivision (m)(1) of this section, no person shall be eligible to receive~~
13 ~~or hold a license issued by the board if that person has pleaded guilty or~~
14 ~~nolo contendere to or been found guilty of any of the following offenses by~~
15 ~~any court in the State of Arkansas or of any similar offense by a court in~~
16 ~~another state or of any similar offense by a federal court:~~

17 (1) ~~Capital murder as prohibited in § 5-10-101;~~

18 (2) ~~Murder in the first degree as prohibited in § 5-10-102 and~~
19 ~~murder in the second degree as prohibited in § 5-10-103;~~

20 (3) ~~Manslaughter as prohibited in § 5-10-104;~~

21 (4) ~~Negligent homicide as prohibited in § 5-10-105;~~

22 (5) ~~Kidnapping as prohibited in § 5-11-102;~~

23 (6) ~~False imprisonment in the first degree as prohibited in § 5-~~
24 ~~11-103;~~

25 (7) ~~Permanent detention or restraint as prohibited in § 5-11-~~
26 ~~106;~~

27 (8) ~~Robbery as prohibited in § 5-12-102;~~

28 (9) ~~Aggravated robbery as prohibited in § 5-12-103;~~

29 (10) ~~Battery in the first degree as prohibited in § 5-13-201;~~

30 (11) ~~Aggravated assault as prohibited in § 5-13-204;~~

31 (12) ~~Introduction of a controlled substance into the body of~~
32 ~~another person as prohibited in § 5-13-210;~~

33 (13) ~~Aggravated assault upon a law enforcement officer or an~~
34 ~~employee of a correctional facility, § 5-13-211, if a Class Y felony;~~

35 (14) ~~Terroristic threatening in the first degree as prohibited~~
36 ~~in § 5-13-301;~~

1 ~~(15) Rape as prohibited in § 5-14-103;~~
2 ~~(16) Sexual indecency with a child as prohibited in § 5-14-110;~~
3 ~~(17) Sexual extortion, § 5-14-113;~~
4 ~~(18) Sexual assault in the first degree, second degree, third~~
5 ~~degree, and fourth degree as prohibited in §§ 5-14-124—5-14-127;~~
6 ~~(19) Incest as prohibited in § 5-26-202;~~
7 ~~(20) Offenses against the family as prohibited in §§ 5-26-303—~~
8 ~~5-26-306;~~
9 ~~(21) Endangering the welfare of an incompetent person in the~~
10 ~~first degree as prohibited in § 5-27-201;~~
11 ~~(22) Endangering the welfare of a minor in the first degree as~~
12 ~~prohibited in § 5-27-205;~~
13 ~~(23) Permitting abuse of a minor as prohibited in § 5-27-221;~~
14 ~~(24) Engaging children in sexually explicit conduct for use in~~
15 ~~visual or print media, transportation of minors for prohibited sexual~~
16 ~~conduct, pandering or possessing a visual or print medium depicting sexually~~
17 ~~explicit conduct involving a child, or use of a child or consent to use of a~~
18 ~~child in a sexual performance by producing, directing, or promoting a sexual~~
19 ~~performance by a child as prohibited in §§ 5-27-303—5-27-305, 5-27-402, and~~
20 ~~5-27-403;~~
21 ~~(25) Computer child pornography as prohibited in § 5-27-603;~~
22 ~~(26) Computer exploitation of a child in the first degree as~~
23 ~~prohibited in § 5-27-605;~~
24 ~~(27) Felony adult abuse as prohibited in § 5-28-103;~~
25 ~~(28) Theft of property as prohibited in § 5-36-103;~~
26 ~~(29) Theft by receiving as prohibited in § 5-36-106;~~
27 ~~(30) Arson as prohibited in § 5-38-301;~~
28 ~~(31) Burglary as prohibited in § 5-39-201;~~
29 ~~(32) Felony violation of the Uniform Controlled Substances Act,~~
30 ~~§ 5-64-101 et seq., as prohibited in the former § 5-64-401 and §§ 5-64-419—~~
31 ~~5-64-442;~~
32 ~~(33) Promotion of prostitution in the first degree as prohibited~~
33 ~~in § 5-70-104;~~
34 ~~(34) Stalking as prohibited in § 5-71-229; and~~
35 ~~(35) Criminal attempt, criminal complicity, criminal~~
36 ~~solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-~~

~~3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

(g)(1) The board may issue a six-month nonrenewable letter of provisional eligibility for licensure to a first-time applicant pending the results of the criminal background check.

~~(2) Except as provided in subdivision (m)(1) of this section, upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding a letter of provisional licensure has pleaded guilty or nolo contendere to or been found guilty of any offense listed in subsection (f) of this section, the board shall immediately revoke the provisional license.~~

~~(h)(1) The provisions of subsection (f) and subdivision (g)(2) of this section may be waived by the board upon the request of:~~

~~(A) An affected applicant for licensure; or~~

~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

~~(A) The age at which the crime was committed;~~

~~(B) The circumstances surrounding the crime;~~

~~(C) The length of time since the crime;~~

~~(D) Subsequent work history;~~

~~(E) Employment references;~~

~~(F) Character references; and~~

~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of children.~~

~~(i)(1)(h)(1)~~ Any information received by the board from the Identification Bureau of the Department of Arkansas State Police ~~pursuant to~~ under this section shall not be available for examination except by the affected applicant for licensure or his or her authorized representative or the person whose license is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the department.

~~(j)(i)~~ Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(k)(j)~~ Rights of privilege and confidentiality established in this

1 section shall not extend to any document created for purposes other than this
2 background check.

3 ~~(1)(k)~~ The board shall adopt the necessary rules ~~and regulations~~ to
4 fully implement the provisions of this section.

5 ~~(m)(1)~~ For purposes of this section, an expunged record of a
6 conviction or plea of guilty of or nolo contendere to an offense listed in
7 subsection (f) of this section shall not be considered a conviction, guilty
8 plea, or nolo contendere plea to the offense unless the offense is also
9 listed in subdivision (m)(2) of this section.

10 ~~(2)~~ Because of the serious nature of the offenses and the close
11 relationship to the type of work that is to be performed, the following shall
12 result in permanent disqualification:

13 ~~(A)~~ Capital murder as prohibited in § 5-10-101;

14 ~~(B)~~ Murder in the first degree as prohibited in § 5-10-102
15 and murder in the second degree as prohibited in § 5-10-103;

16 ~~(C)~~ Kidnapping as prohibited in § 5-11-102;

17 ~~(D)~~ Aggravated assault upon a law enforcement officer or
18 an employee of a correctional facility, § 5-13-211, if a Class Y felony;

19 ~~(E)~~ Rape as prohibited in § 5-14-103;

20 ~~(F)~~ Sexual extortion, § 5-14-113;

21 ~~(G)~~ Sexual assault in the first degree as prohibited in §
22 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;

23 ~~(H)~~ Incest as prohibited in § 5-26-202;

24 ~~(I)~~ Endangering the welfare of an incompetent person in
25 the first degree as prohibited in § 5-27-201;

26 ~~(J)~~ Endangering the welfare of a minor in the first degree
27 as prohibited in § 5-27-205 and endangering the welfare of a minor in the
28 second degree as prohibited in § 5-27-206;

29 ~~(K)~~ Adult abuse that constitutes a felony as prohibited in
30 § 5-28-103; and

31 ~~(L)~~ Arson as prohibited in § 5-38-301.

32
33 SECTION 112. Arkansas Code § 17-98-302(a), concerning admission to
34 examination for licensure as a disease intervention specialist, is amended to
35 read as follows:

36 (a) The State Board of Disease Intervention Specialists shall admit to

1 examination any person who makes application to the Secretary of the State
2 Board of Disease Intervention Specialists on forms prescribed and furnished
3 by the board, pays an application fee set by the board to defray the expense
4 of examination, and submits satisfactory proof to the board that he or she:

- 5 ~~(1) Is a person of good moral character;~~
6 ~~(2)~~(1) Meets the minimum educational requirements;
7 ~~(3)~~(2) Meets the minimum specialized training requirements, as
8 determined by the board;
9 ~~(4)~~(3) Has had two (2) years of field experience in human
10 immunodeficiency virus/sexually transmitted disease intervention; and
11 ~~(5)~~(4) Is actively engaged in the field of human
12 immunodeficiency virus/sexually transmitted disease intervention at the time
13 he or she makes application.
14

15 SECTION 113. Arkansas Code § 17-98-303 is amended to read as follows:
16 17-98-303. Issuance of certificate without examination.

17 The State Board of Disease Intervention Specialists shall issue a
18 certificate of registration without examination to any person who makes
19 application on forms prescribed and furnished by the board, pays a
20 registration fee set by the board, and submits satisfactory proof that he or
21 she:

- 22 ~~(1) Is of good moral character;~~
23 ~~(2)~~(1) Has had at least two (2) years' experience in the field
24 of human immunodeficiency virus/sexually transmitted disease intervention;
25 and
26 ~~(3)~~(2) Is registered as a disease intervention specialist in a
27 state in which the qualifications for registration are not lower than the
28 qualifications for registration in this state at the time he or she applies
29 for registration.
30

31 SECTION 114. Arkansas Code §§ 17-98-305 and 17-98-306 are amended to
32 read as follows:

33 17-98-305. Application for reinstatement.

34 (a) A former registered disease intervention specialist whose
35 certificate has expired or has been suspended or revoked may make application
36 for reinstatement by paying a renewal fee and submitting satisfactory proof

1 to the State Board of Disease Intervention Specialists that he or she has
2 complied with the continuing education requirements.

3 (b) The board shall consider the ~~moral character and~~ professional
4 qualifications of the applicant as in the case of an original application.

5
6 17-98-306. Refusal to renew – Suspension or revocation.

7 The State Board of Disease Intervention Specialists may refuse to renew
8 or may suspend or revoke a certificate upon proof that the applicant+

9 ~~(1) Is not of good character; or~~

10 ~~(2) Is~~ is guilty of fraud, deceit, gross negligence,
11 incompetency, or misconduct relative to his or her duties as a disease
12 intervention specialist.

13
14 SECTION 115. Arkansas Code § 17-99-302(b), concerning qualifications
15 of an applicant for licensure as a respiratory care practitioner, is amended
16 to read as follows:

17 (b) Each applicant ~~must~~ shall:

18 (1) Be at least eighteen (18) years of age;

19 ~~(2) Be of good moral character;~~

20 ~~(3)~~ (2) Have been awarded a high school diploma or its
21 equivalent;

22 ~~(4)~~ (3) Have satisfactorily completed training in a respiratory
23 care program which has been approved by the Arkansas State Respiratory Care
24 Examining Committee, to include adequate instruction in basic medical
25 science, clinical science, and respiratory care theory and procedures; and

26 ~~(5)~~ (4) Have passed an examination approved by the Arkansas State
27 Medical Board and the committee, unless exempted by other provisions of this
28 chapter.

29
30 SECTION 116. Arkansas Code § 17-99-307(3), concerning the grounds for
31 denial, suspension, or revocation of a respiratory care practitioner license,
32 is repealed.

33 ~~(3) Has been convicted of any crime involving moral turpitude;~~

34
35 SECTION 117. Arkansas Code § 17-100-302(b), concerning qualifications
36 of an applicant for licensure as a speech-language pathologist or

1 audiologist, is amended to read as follows:

2 (b) To be eligible for licensure by the board as a speech-language
3 pathologist or audiologist, a person shall:

4 ~~(1) Be of good moral character;~~

5 ~~(2)(1)~~ Possess at least a master's degree in the area of speech-
6 language pathology or a master's degree in audiology obtained on or before
7 December 30, 2006, or a doctoral degree obtained after January 1, 2007, from
8 an educational institution recognized by the board;

9 ~~(3)(2)~~ Submit evidence of the completion of the educational,
10 clinical experience, and employment requirements, which shall be based on
11 appropriate national standards and prescribed by the rules adopted under this
12 chapter; and

13 ~~(4)(3)~~ Pass an examination approved by the board before the
14 board approves a license.

15
16 SECTION 118. Arkansas Code § 17-100-302(d), concerning qualifications
17 of an applicant for provisional licensure as a speech-language pathologist or
18 audiologist, is amended to read as follows:

19 (d) To be eligible for provisional licensure by the board as a speech-
20 language pathologist or audiologist, a person shall:

21 ~~(1) Be of good moral character;~~

22 ~~(2)(1)~~ Possess at least a master's degree in the area of speech-
23 language pathology or audiology, as the case may be, from an educational
24 institution recognized by the board;

25 ~~(3)(2)~~ Be in the process of completing the postgraduate
26 professional experience requirement; and

27 ~~(4)(3)~~ Pass an examination approved by the board.

28
29 SECTION 119. Arkansas Code § 17-100-307(a)(3), concerning the grounds
30 for denial, suspension, or revocation of a license, or other disciplinary
31 action for speech-language pathologists and audiologists, is amended to read
32 as follows:

33 (3)(A) Being convicted of a felony listed under § 17-2-102 in
34 ~~any court of the United States if the acts for which the licensee or~~
35 ~~applicant is convicted are found by the board to have a direct bearing on~~
36 ~~whether he or she should be entrusted to serve the public in the capacity of~~

1 ~~a speech language pathologist or audiologist.~~

2 ~~(B) A plea or verdict of guilty made to a charge of a~~
3 ~~felony or of any offense involving moral turpitude is a conviction within the~~
4 ~~meaning of this section.~~

5 ~~(C)~~(B) At the direction of the board, and after due notice
6 and an administrative hearing in accordance with the provisions of applicable
7 Arkansas laws, the license of the person so convicted shall be suspended or
8 revoked or the board shall decline to issue a license when:

9 (i) The time for appeal has elapsed;

10 (ii) The judgment of conviction has been affirmed on
11 appeal; or

12 (iii) An order granting probation has been made
13 suspending the imposition of sentence, without regard to a subsequent order
14 under the provisions of state law allowing the withdrawal of a guilty plea
15 and the substitution of a not guilty plea, or the setting aside of a guilty
16 verdict, or the dismissal of the acquisition, information, or indictment;

17
18 SECTION 120. Arkansas Code § 17-101-305(a)(4)(A), concerning the
19 grounds for denial, suspension, or revocation of a veterinarian license, is
20 amended to read as follows:

21 (4)(A) Conviction of a felony ~~or other crime involving moral~~
22 ~~turpitude~~ listed under § 17-2-102.

23
24 SECTION 121. Arkansas Code § 17-102-304(a)(3), concerning
25 qualifications of an applicant for provisional licensure as an acupuncturist,
26 is amended to read as follows:

27 (3) Before any applicant shall be eligible for an examination,
28 the applicant shall furnish satisfactory proof to the board that he or she:

29 ~~(A) Is of good moral character by filing with his or her~~
30 ~~application the affidavits of at least two (2) reputable acupuncturists who~~
31 ~~attest to his or her character;~~

32 ~~(B)~~(A) Has successfully completed not fewer than sixty
33 (60) semester credit hours of college education, to include a minimum of
34 thirty (30) semester credit hours in the field of science; and

35 ~~(C)~~(B) Has completed a program in acupuncture and related
36 techniques and has received a certificate or diploma from an institute

1 approved by the board as described in this section. The training received in
2 the program shall be for a period of no fewer than four (4) academic years
3 and shall include a minimum of eight hundred (800) hours of supervised
4 clinical practice.

5
6 SECTION 122. Arkansas Code § 17-102-304(c)(4), concerning
7 qualifications of an applicant for provisional licensure as an acupuncturist,
8 is amended to read as follows:

9 (4) Not have been convicted of a felony listed under § 17-2-102;
10 and

11
12 SECTION 123. Arkansas Code § 17-103-305(b), concerning the grounds for
13 renewal, revocation, or suspension of a social worker license, is amended to
14 read as follows:

15 (b) The board shall refuse to issue or shall revoke the license of a
16 person who has been found guilty of a felony, ~~any crime involving moral~~
17 ~~turpitude,~~ listed under § 17-2-102 or criminal offense involving violence,
18 dishonesty, fraud, deceit, breach of client trust, or abuse of the vulnerable
19 unless the person requests and the board grants a waiver under § 17-103-
20 307(f).

21
22 SECTION 124. Arkansas Code § 17-103-306(a)(1)(D), concerning
23 qualifications of an applicant for licensure as a licensed social worker, is
24 repealed.

25 ~~(D) Has good moral character;~~

26
27 SECTION 125. Arkansas Code § 17-103-306(a)(1)(G), concerning
28 qualifications for a Licensed Social Worker license, is amended to read as
29 follows:

30 (G) Has not pleaded guilty or nolo contendere to or been
31 found guilty of a felony, ~~any crime involving moral turpitude,~~ listed under §
32 17-2-102 or criminal offense involving violence, dishonesty, fraud, deceit,
33 breach of client trust, or abuse of the vulnerable;

34
35 SECTION 126. Arkansas Code § 17-103-306(b)(1)(G), concerning the
36 qualifications for a Licensed Master Social Worker license, is amended to

1 read as follows:

2 (G) Has not pleaded guilty or nolo contendere to or been
3 found guilty of a felony, ~~any crime involving moral turpitude,~~ listed under §
4 17-2-102 or criminal offense involving violence, dishonesty, fraud, deceit,
5 breach of client trust, or abuse of the vulnerable;

6
7 SECTION 127. Arkansas Code § 17-103-306(c)(1)(H), concerning the
8 qualifications for a Licensed Certified Social Worker license, is amended to
9 read as follows:

10 (H) Has not pleaded guilty or nolo contendere to or been found
11 guilty of a felony, ~~any crime involving moral turpitude,~~ listed under § 17-2-
12 102 or criminal offense involving violence, dishonesty, fraud, deceit, breach
13 of client trust, or abuse of the vulnerable;

14
15 SECTION 128. Arkansas Code § 17-103-307(d)-(k), concerning criminal
16 background check requirements for social workers, are amended to read as
17 follows:

18 (d) Upon completion of the criminal background check, the
19 Identification Bureau of the Department of Arkansas State Police shall
20 forward to the board all releasable information obtained concerning the
21 applicant ~~in the commission of any offense listed in subsection (e) of this~~
22 ~~section.~~

23 (e) For purposes of this section, the board shall follow the licensing
24 restrictions based on criminal records under § 17-2-102. Except as provided
25 ~~in subdivision (k)(1) of this section, a person is not eligible to receive or~~
26 ~~hold a license issued by the board if that person has pleaded guilty or nolo~~
27 ~~contendere to or been found guilty of a felony, any crime involving moral~~
28 ~~turpitude, or criminal offense involving violence, dishonesty, fraud, deceit,~~
29 ~~breach of client trust, or abuse of the vulnerable, including without~~
30 ~~limitation:~~

- 31 ~~(1) Capital murder as prohibited in § 5-10-101;~~
32 ~~(2) Murder in the first degree as prohibited in § 5-10-102 and~~
33 ~~murder in the second degree as prohibited in § 5-10-103;~~
34 ~~(3) Manslaughter as prohibited in § 5-10-104;~~
35 ~~(4) Negligent homicide as prohibited in § 5-10-105;~~
36 ~~(5) Kidnapping as prohibited in § 5-11-102;~~

1 ~~(6) False imprisonment in the first degree as prohibited in § 5-~~
2 ~~11-103;~~
3 ~~(7) Permanent detention or restraint as prohibited in § 5-11-~~
4 ~~106;~~
5 ~~(8) Robbery as prohibited in § 5-12-102;~~
6 ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
7 ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~
8 ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
9 ~~(12) Introduction of a controlled substance into the body of~~
10 ~~another person as prohibited in § 5-13-210;~~
11 ~~(13) Aggravated assault upon a law enforcement officer or an~~
12 ~~employee of a correctional facility, § 5-13-211, if a Class Y felony;~~
13 ~~(14) Terroristic threatening in the first degree as prohibited~~
14 ~~in § 5-13-301;~~
15 ~~(15) Rape as prohibited in § 5-14-103;~~
16 ~~(16) Sexual indecency with a child as prohibited in § 5-14-110;~~
17 ~~(17) Sexual extortion, § 5-14-113;~~
18 ~~(18) Sexual assault in the first degree, second degree, third~~
19 ~~degree, and fourth degree as prohibited in §§ 5-14-124—5-14-127;~~
20 ~~(19) Incest as prohibited in § 5-26-202;~~
21 ~~(20) Offenses against the family as prohibited in §§ 5-26-303—~~
22 ~~5-26-306;~~
23 ~~(21) Endangering the welfare of an incompetent person in the~~
24 ~~first degree as prohibited in § 5-27-201;~~
25 ~~(22) Endangering the welfare of a minor in the first degree as~~
26 ~~prohibited in § 5-27-205;~~
27 ~~(23) Permitting abuse of a minor as prohibited in § 5-27-221(a);~~
28 ~~(24) Engaging children in sexually explicit conduct for use in~~
29 ~~visual or print media, transportation of minors for prohibited sexual~~
30 ~~conduct, pandering or possessing a visual or print medium depicting sexually~~
31 ~~explicit conduct involving a child, or use of a child or consent to use of a~~
32 ~~child in a sexual performance by producing, directing, or promoting a sexual~~
33 ~~performance by a child as prohibited in §§ 5-27-303—5-27-305, 5-27-402, and~~
34 ~~5-27-403;~~
35 ~~(25) Computer child pornography as prohibited in § 5-27-603;~~
36 ~~(26) Computer exploitation of a child in the first degree as~~

1 ~~prohibited in § 5-27-605;~~

2 ~~(27) Felony adult abuse as prohibited in § 5-28-103;~~

3 ~~(28) Theft of property as prohibited in § 5-36-103;~~

4 ~~(29) Theft by receiving as prohibited in § 5-36-106;~~

5 ~~(30) Arson as prohibited in § 5-38-301;~~

6 ~~(31) Burglary as prohibited in § 5-39-201;~~

7 ~~(32) Felony violation of the Uniform Controlled Substances Act,~~
8 ~~§ 5-64-101 et seq., as prohibited in the former § 5-64-401 and §§ 5-64-419—~~
9 ~~5-64-442;~~

10 ~~(33) Promotion of prostitution in the first degree as prohibited~~
11 ~~in § 5-70-104;~~

12 ~~(34) Stalking as prohibited in § 5-71-229; and~~

13 ~~(35) Criminal attempt, criminal complicity, criminal~~
14 ~~solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-~~
15 ~~3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

16 ~~(f)(1) The provisions of subsection (e) of this section may be waived~~
17 ~~by the board upon the request of:~~

18 ~~(A) An affected applicant for licensure; or~~

19 ~~(B) The person holding a license subject to revocation.~~

20 ~~(2) Circumstances for which a waiver may be granted include, but~~
21 ~~are not limited to, the following:~~

22 ~~(A) The applicant's age at the time the crime was~~
23 ~~committed;~~

24 ~~(B) The circumstances surrounding the crime;~~

25 ~~(C) The length of time since the crime;~~

26 ~~(D) Subsequent work history;~~

27 ~~(E) Employment references;~~

28 ~~(F) Character references; and~~

29 ~~(G) Other evidence demonstrating that the applicant does~~
30 ~~not pose a threat to the health or safety of children or endangered adults.~~

31 ~~(g)(1)(f)(1)~~ Information received by the board from the Identification
32 Bureau of the Department of Arkansas State Police under this section shall
33 not be available for examination except by the affected applicant for
34 licensure or his or her authorized representative or the person whose license
35 is subject to revocation or his or her authorized representative.

36 (2) No record, file, or document shall be removed from the

1 custody of the department.

2 ~~(h)~~(g) Information made available to the affected applicant for
3 licensure or the person whose license is subject to revocation shall be
4 information pertaining to that person only.

5 ~~(i)~~(h) Rights of privilege and confidentiality established in this
6 section do not extend to any document created for purposes other than the
7 criminal background check.

8 ~~(j)~~(i) The board shall adopt the necessary rules to fully implement
9 the provisions of this section.

10 ~~(k)(1) As used in this section, an expunged record of a conviction or~~
11 ~~plea of guilty or nolo contendere to an offense listed in subsection (c) of~~
12 ~~this section shall not be a felony, any crime involving moral turpitude, or a~~
13 ~~criminal offense involving violence, dishonesty, fraud, deceit, breach of~~
14 ~~client trust, or abuse of the vulnerable unless the offense is also listed in~~
15 ~~subdivision (k)(2) of this section.~~

16 ~~(2) Because of the serious nature of the offenses and the close~~
17 ~~relationship to the type of work that is to be performed, a conviction,~~
18 ~~guilty plea, or nolo contendere plea to any of the following offenses shall~~
19 ~~result in permanent disqualification for licensure:~~

- 20 ~~(A) Capital murder as prohibited in § 5-10-101;~~
21 ~~(B) Murder in the first degree as prohibited in § 5-10-102~~
22 ~~and murder in the second degree as prohibited in § 5-10-103;~~
23 ~~(C) Kidnapping as prohibited in § 5-11-102;~~
24 ~~(D) Aggravated assault upon a law enforcement officer or~~
25 ~~an employee of a correctional facility, § 5-13-211, if a Class Y felony;~~
26 ~~(E) Rape as prohibited in § 5-14-103;~~
27 ~~(F) Sexual extortion, § 5-14-113;~~
28 ~~(G) Sexual assault in the first degree as prohibited in §~~
29 ~~5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;~~
30 ~~(H) Endangering the welfare of an incompetent person in~~
31 ~~the first degree as prohibited in § 5-27-201;~~
32 ~~(I) Endangering the welfare of a minor in the first degree~~
33 ~~as prohibited in § 5-27-205 and endangering the welfare of a minor in the~~
34 ~~second degree as prohibited in § 5-27-206;~~
35 ~~(J) Engaging children in sexually explicit conduct for use~~
36 ~~in visual or print media, transportation of minors for prohibited sexual~~

1 ~~conduct, or pandering or possessing a visual or print medium depicting~~
2 ~~sexually explicit conduct involving a child, or use of a child or consent to~~
3 ~~use of a child in a sexual performance by producing, directing, or promoting~~
4 ~~a sexual performance by a child, as prohibited in §§ 5-27-303—5-27-305, 5-~~
5 ~~27-402, and 5-27-403;~~

6 ~~(K) Adult abuse that constitutes a felony as prohibited in~~
7 ~~§ 5-28-103; and~~

8 ~~(L) Arson as prohibited in § 5-38-301.~~

9
10 SECTION 129. Arkansas Code § 17-104-312(3)(F), concerning violations
11 of the Perfusionist Licensure Act, is amended to read as follows:

12 (F) A plea of guilty, nolo contendere, or a finding of
13 guilt of a felony listed under § 17-2-102 or any offense substantially
14 related to the qualifications, functions, or duties of a perfusionist, in
15 which event the record shall be conclusive evidence; or

16
17 SECTION 130. Arkansas Code § 17-105-102(b)(6), concerning
18 qualifications of an applicant for licensure as a physician assistant, is
19 repealed.

20 ~~(6) Is of good moral character;~~

21
22 SECTION 131. Arkansas Code § 17-105-113 is amended to read as follows:
23 17-105-113. Violation.

24 Following the exercise of due process, the Arkansas State Medical Board
25 may discipline any physician assistant who:

26 (1) Fraudulently or deceptively obtains or attempts to obtain a
27 license;

28 (2) Fraudulently or deceptively uses a license;

29 (3) Violates any provision of this chapter or any regulations
30 adopted by the board pertaining to this chapter;

31 (4) Is convicted of a felony listed under § 17-2-102;

32 (5) Is a habitual user of intoxicants or drugs to such an extent
33 that he or she is unable to safely perform as a physician assistant;

34 (6) Has been adjudicated as mentally incompetent or has a mental
35 condition that renders him or her unable to safely perform as a physician
36 assistant; or

1 ~~(7) Has committed an act of moral turpitude; or~~

2 ~~(8)~~(7) Represents himself or herself as a physician.

3
4 SECTION 132. Arkansas Code § 17-106-107(a)(2), concerning the
5 licensing requirements for healthcare professionals who use radioactive
6 materials or medical equipment emitting or detecting ionizing radiation on
7 human beings for diagnostic or therapeutic purposes, is amended to read as
8 follows:

9 (2) Submit satisfactory evidence verified by oath or affirmation
10 that the applicant:

11 (A) Is qualified to administer radioactive materials or
12 operate medical equipment emitting or detecting ionizing radiation upon human
13 beings;

14 ~~(B) Is of good moral character;~~

15 ~~(C)~~(B) Is at least eighteen (18) years of age at the time
16 of application; and

17 ~~(D)~~(C) Has been awarded a high school diploma or has
18 passed the General Educational Development Test or the equivalent.

19
20 SECTION 133. Arkansas Code § 17-106-110(a)(2), concerning discipline
21 for healthcare professionals who use radioactive materials or medical
22 equipment emitting or detecting ionizing radiation on human beings for
23 diagnostic or therapeutic purposes, is amended to read as follows:

24 (2) Has been convicted of a felony listed under § 17-2-102 ~~in a~~
25 ~~court of competent jurisdiction either within or outside of this state unless~~
26 ~~the conviction has been reversed and the holder of the license has been~~
27 ~~discharged or acquitted or if the holder has been pardoned with full~~
28 ~~restoration of civil rights, in which case the license shall be restored;~~

29
30 SECTION 134. Arkansas Code § 17-107-310(1), concerning disciplinary
31 action for orthotists, prosthetists, and pedorthists, is amended to read as
32 follows:

33 (1) Has pleaded guilty or nolo contendere to or has been found
34 guilty of a felony listed under § 17-2-102;

/s/J. Cooper

APPROVED: 4/15/19