

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

# A Bill

**SENATE BILL**

4 **By: Senators Chaffin and Beebe**

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## **For An Act To Be Entitled**

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

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

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

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

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

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

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

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

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

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

1 (c) A member shall hold his office until his successor has been  
2 appointed and qualified.

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

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

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

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11 17-92-202. Powers and duties.

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

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

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

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

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

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

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33 17-92-203. Disposition of Funds.

34 (a) All fees and other moneys received by the board pursuant to the  
35 provisions of this chapter shall be deposited in a financial institution in

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

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

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

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

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

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

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

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33 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
34 Seventy-Eighth General Assembly that this legislation creates a new board to  
35 regulate, license and examine physical therapists; that the State Board of

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

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