

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

SENATE BILL

4 **By: Senators Bookout and Gwatney**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 17-93-410 TO AUTHORIZE THE
9 ARKANSAS STATE MEDICAL BOARD TO COLLECT FINES AND OUT-OF
10 POCKET COSTS FROM ANY INDIVIDUAL LICENSED BY THE ARKANSAS
11 STATE MEDICAL BOARD WHO HAS BEEN FOUND IN VIOLATION OF THE
12 MEDICAL PRACTICES ACT; AND FOR OTHER PURPOSES."

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Subtitle

15 "TO AUTHORIZE THE STATE MEDICAL BOARD TO COLLECT FINES FOR
16 VIOLATIONS OF THE MEDICAL PRACTICES ACT."

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

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20 SECTION 1. Arkansas Code 17-93-410(d) is amended to read as follows:

21 "(d) (1) At the conclusion of the hearing, the board shall first decide
22 whether the accused is guilty of the charges against him, and then decide on
23 appropriate disciplinary action.

24 (2) If the accused is found not guilty, the board shall dismiss
25 the charges.

26 (3) If the accused is found guilty, the board may do one or more
27 of the following:

28 (A) Revoke his license;

29 (B) Suspend his license for a period not to exceed one (1)
30 year;

31 (C) Issue a reprimand; or

32 (D) Impose a probation allowing the licensee to continue
33 practicing under terms and conditions found to be in the best interest of the
34 accused and the general public.

35 (E) Levy a fine of up to one thousand dollars (\$1,000) per

1 violation of the Arkansas Medical Practices Act, § 17-93-201, et seq., and
2 collect out-of-pocket costs of investigation incurred by the board to conduct
3 the disciplinary hearing.

4 (4) If the board suspends the license, it may issue a temporary
5 license for whatever duration it decides and renew this temporary license at
6 its discretion.

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8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Seventy-Ninth General Assembly that it is necessary to provide the ability to
23 collect fines from those individuals licensed by the Arkansas State Medical
24 Board who have violated the Professional Practice Act to the Arkansas State
25 Medical Board. Therefore, an emergency is hereby declared to exist and this
26 act being necessary for the immediate preservation of the public peace, health
27 and safety shall be in full force and effect from and after its passage and
28 approval.

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