

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Walters**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO PROHIBIT PHYSICIANS PRACTICING IN THE STATE OF
9 ARKANSAS FROM DENYING MEDICAL CARE TO ANY ADULT PERSON
10 BASED SOLELY ON THE AGE OF THE PATIENT; TO PROHIBIT
11 DISCRIMINATION IN PROVIDING MEDICAL CARE TO OLDER PERSONS;
12 TO PROHIBIT THE POSTING OF SIGNS STATING CARE WILL NOT BE
13 GIVEN TO A PERSON OVER A PARTICULAR AGE; AND FOR OTHER
14 PURPOSES."

Subtitle

15
16
17 "AN ACT TO PROHIBIT DENIAL OF MEDICAL CARE TO OLDER
18 PERSONS BASED SOLELY ON AGE."

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. Physicians practicing in the state of Arkansas are hereby
23 prohibited from denying care, either routine or emergency, to any adult person
24 based solely on the age of the person. The purpose of this bill is to
25 prohibit discrimination in providing medical care to older people. Included
26 in the intent of this bill is the prohibition of the posting of signs
27 indicating the physician will not treat an adult person over a particular age.

28

29 SECTION 2. The Arkansas State Medical Board shall be responsible for
30 the enforcement of this act. Consumers may report violations of this act to
31 the board by filing oral or written complaints. The board will review
32 complaints concerning discrimination in providing medical care based on age
33 and impose penalties as described in Section 3 of this act.

34

35 SECTION 3. Penalties for violation of this act will be as follows:

1 (1) First violation - a written warning; (2) Second violation -
2 appearance before the Arkansas Medical Board and an oral and written
3 reprimand; (3) Third violation - a fine of five hundred dollars (\$500); and
4 (4) Fourth and subsequent violations - a progressive doubling of the previous
5 fine with each successive violation.

6

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

10

11 SECTION 5. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

16

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

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

