

**ARKANSAS SENATE**

91st General Assembly - Regular Session, 2017

**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 70**

AN ACT FOR THE ARKANSAS STATE MEDICAL BOARD APPROPRIATION FOR THE 2017-2018 FISCAL  
YEAR.

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**Amendment No. \_\_\_ to Senate Bill No. 70**

Amend Senate Bill No. 70 as originally introduced:

Page 1, delete line 30 in its entirety and substitute the following:

"(1) U134U EXEC. DIRECTOR AR STATE MEDICAL BOARD 1 GRADE SE01".

**DRAFT**

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Bledsoe

WFP/WFP - 03-14-2017 09:34:40

WFP052

\_\_\_\_\_  
Secretary

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 70

4  
5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE MEDICAL  
10 BOARD FOR THE FISCAL YEAR ENDING JUNE 30, 2018; AND  
11 FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE ARKANSAS STATE MEDICAL  
15 BOARD APPROPRIATION FOR THE 2017-2018  
16 FISCAL YEAR.  
17  
18  
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas State Medical Board for the 2017-2018 fiscal year, the following  
24 maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
30	(1) U095U	MEDICAL BOARD SECRETARY/TREASURER	1	\$105,278
31	(2) G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
32	(3) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
33	(4) R019C	BUDGET MANAGER	1	GRADE C120
34	(5) D062C	DATABASE ANALYST	1	GRADE C119
35	(6) D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
36	(7) D064C	WEBSITE DEVELOPER	2	GRADE C118



1	(8)	G187C	CREDENTIALING COORD SUPERVISOR	2	GRADE C117
2	(9)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
3	(10)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
4	(11)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
5	(12)	C045C	LICENSING COORDINATOR	21	GRADE C113
6	(13)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
7	(14)	A098C	FISCAL SUPPORT SPECIALIST	3	GRADE C112
8	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>4</u>	GRADE C109
9			MAX. NO. OF EMPLOYEES	45	

10

11 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 12 State Medical Board for the 2017-2018 fiscal year, the following maximum  
 13 number of part-time or temporary employees, to be known as "Extra Help",  
 14 payable from funds appropriated herein for such purposes: two (2) temporary  
 15 or part-time employees, when needed, at rates of pay not to exceed those  
 16 provided in the Uniform Classification and Compensation Act, or its  
 17 successor, or this act for the appropriate classification.

18

19 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 20 to the Arkansas State Medical Board, to be payable from cash funds as defined  
 21 by Arkansas Code 19-4-801 of the Arkansas State Medical Board, for personal  
 22 services and operating expenses of the Arkansas State Medical Board for the  
 23 fiscal year ending June 30, 2018, the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2017-2018</u>
27	(01) REGULAR SALARIES	\$1,618,547
28	(02) EXTRA HELP	24,500
29	(03) PERSONAL SERVICES MATCHING	590,237
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,378,180
32	(B) CONF. & TRAVEL	19,000
33	(C) PROF. FEES	177,000
34	(D) CAP. OUTLAY	191,765
35	(E) DATA PROC.	0
36	(05) REFUNDS/REIMBURSEMENTS	<u>7,500</u>

1 TOTAL AMOUNT APPROPRIATED \$4,006,729

2

3 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 EDUCATIONAL PROGRAMS. The State Medical Board is hereby authorized to expend  
6 from monies authorized herein, \$25 from each licensed physician licensed by  
7 the State Medical Board each year to be paid by the State Medical Board to  
8 501(c)(3) Arkansas foundations that have healthcare professionals on their  
9 board and provide for identification, treatment and monitoring of healthcare  
10 professionals who suffer from alcohol or drug abuse problems, in order to  
11 promote the public health and safety and to insure the continued availability  
12 of skilled and highly trained medical professionals for the benefit of the  
13 public.

14 The provisions of this section shall be in effect only from July 1, 2016  
15 2017 through June 30, ~~2017~~ 2018.

16

17 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
19 STATE MEDICAL BOARD EMPLOYMENT OF ATTORNEYS. None of the funds appropriated  
20 in this Act for Maintenance and General Operation shall be expended in  
21 payment for services of attorneys, unless the agency shall first make a  
22 request in writing to the Attorney General of the State of Arkansas to  
23 provide the required legal services. The Attorney General's Office shall  
24 provide the requested legal services, or, if the Attorney General's Office  
25 shall determine that sufficient personnel are not available to provide the  
26 requested legal services, the Attorney General shall certify the same to the  
27 agency and may authorize the agency to employ legal counsel and to expend  
28 monies appropriated for Maintenance and General Operations therefore, if:

29 (1) The Attorney General determines, and certifies in writing, that  
30 such agency needs the advice or assistance of legal counsel, and

31 (2) The Attorney General consents in writing to the employment of the  
32 legal counsel to be retained by the agency, and

33 (3) The Attorney General receives confirmation in writing from the  
34 agency that the agency will re-advertise annually for legal counsel if  
35 outside legal counsel is hired and that any amount to be paid for outside  
36 legal counsel will receive prior review by the Arkansas Legislative Council

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

SENATE BILL 39

4  
5 By: Senator Bledsoe  
6 By: Representative McCollum

## For An Act To Be Entitled

7  
8  
9 AN ACT TO AUTHORIZE THE ARKANSAS STATE MEDICAL BOARD  
10 TO EMPLOY AN EXECUTIVE DIRECTOR OF THE ARKANSAS STATE  
11 MEDICAL BOARD AND A DEPUTY DIRECTOR OF THE ARKANSAS  
12 STATE MEDICAL BOARD; AND FOR OTHER PURPOSES.

## Subtitle

13  
14  
15  
16 TO AUTHORIZE THE ARKANSAS STATE MEDICAL  
17 BOARD TO EMPLOY AN EXECUTIVE DIRECTOR OF  
18 THE ARKANSAS STATE MEDICAL BOARD AND A  
19 DEPUTY DIRECTOR OF THE ARKANSAS STATE  
20 MEDICAL BOARD.

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

24  
25 SECTION 1. Arkansas Code § 17-95-301(f), concerning the creation of  
26 the Arkansas State Medical Board, is amended to read as follows:

27 (f)(1) The members of the board may receive expense reimbursement and  
28 stipends in accordance with § 25-16-901 et seq.

29 (2) The Executive ~~Secretary~~ Director of the Arkansas State  
30 Medical Board and the Deputy Director of the Arkansas State Medical Board  
31 shall receive such additional salary as may be fixed by the board.

32  
33 SECTION 2. Arkansas Code § 17-95-303(3) and (4), concerning the powers  
34 and duties of the Arkansas State Medical Board, is amended to read as  
35 follows:

36 (3)(A)(i) Have authority to employ attorneys to represent the



1 board in all legal matters ~~at~~ for a compensation approved by the board.

2 (ii) Contracts for employment of attorneys shall be  
3 filed by the Executive ~~Secretary~~ Director of the Arkansas State Medical Board  
4 with the Legislative Council.

5 (B) The board shall further have authority to request the  
6 assistance of the Attorney General and the prosecuting attorneys of Arkansas  
7 in such manner as it deems necessary and proper;

8 (4) Have the authority to employ an executive ~~secretary~~ director  
9 and a deputy director to carry out the purposes and the mandates of the board  
10 and to supervise the other employees of the board;

11

12 SECTION 3. Arkansas Code § 17-95-304(b)(2), concerning inspectors of  
13 prescriptions, orders, and records, is amended to read as follows:

14 (2) The inspectors shall have the duty and authority upon  
15 written direction by the Executive ~~Secretary~~ Director of the Arkansas State  
16 Medical Board to investigate, inspect, and make copies of the records,  
17 orders, and prescriptions, wherever located, of all persons licensed by the  
18 board in order to determine whether or not the persons have:

19 (A) Violated the laws of the State of Arkansas or of the  
20 United States respecting the prescription and use of narcotics and  
21 potentially dangerous drugs;

22 (B) Practiced their profession in such a way as to  
23 endanger the general health and welfare of the public; or

24 (C) Violated the provisions of the Arkansas Medical  
25 Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et  
26 seq.

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28 SECTION 4. Arkansas Code § 17-95-305(b), concerning disposition of  
29 funds of the Arkansas State Medical Board, is amended to read as follows:

30 (b)(1) All moneys received by the board shall be disbursed by the  
31 Chair of the Arkansas State Medical Board or the Executive ~~Secretary~~ Director  
32 of the Arkansas State Medical Board.

33 (2) The chair or the executive ~~secretary~~ director, or both,  
34 shall furnish a surety bond and ~~should~~ shall keep a true and faithful account  
35 of all moneys received and all moneys expended.

36 (3) The executive ~~secretary~~ director shall file annually with

1 the Governor a report of all financial transactions duly audited by an  
2 independent accountant.

3

4 SECTION 5. Arkansas Code § 17-95-501(b)(3), concerning legislative  
5 intent of the subchapter on critical medical shortage areas, is amended to  
6 read as follows:

7 (3) It is the further intent of this subchapter that neither the  
8 board nor the Executive ~~Secretary~~ Director of the Arkansas State Medical  
9 Board, when acting in behalf of the board and under authority granted to him  
10 or her by the board, shall be liable, collectively or individually, for civil  
11 damages from claims pertaining to the administration of this subchapter.

12

13 SECTION 6. Arkansas Code § 17-95-505 is amended to read as follows:  
14 17-95-505. Nonliability of board.

15 In the application of the authorities and provisions of this  
16 subchapter, ~~neither~~ the Arkansas State Medical Board, either individually or  
17 collectively, ~~nor~~ and the Executive ~~Secretary~~ Director of the Arkansas State  
18 Medical Board, when acting on behalf of the board, ~~shall be held~~ are not  
19 liable for civil damages from claims pertaining to the administration of the  
20 provisions of this subchapter.

21

22 SECTION 7. Arkansas Code § 17-99-305(a), concerning temporary permits  
23 of respiratory care practitioners, is amended to read as follows:

24 (a) In cases of emergency, the Executive ~~Secretary~~ Director of the  
25 Arkansas State Medical Board may issue a temporary permit without examination  
26 to practice respiratory care to persons who are not licensed in other states,  
27 but who otherwise meet the qualifications for licensure set out in this  
28 chapter.

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APPROVED: 01/30/2017

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