

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

# A Bill

**ACT 290 OF 1993**  
**SENATE BILL 316**

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**

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

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

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

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

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

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

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**(A) Revoke his license;**

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

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**(C) Issue a reprimand; or**

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**(D) Impose a probation allowing the licensee to continue practicing**

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**under terms and conditions found to be in the best interest of the accused and the general  
public.**

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**(E) Levy a fine of up to one thousand dollars (\$1,000) per violation of  
the Arkansas Medical Practices Act, § 17-93-201, et seq., and collect out-of-pocket costs of  
investigation incurred by the board to conduct the disciplinary hearing.**

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**(4) If the board suspends the license, it may issue a temporary license for**

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1 **whatever duration it decides and renew this temporary license at its discretion.**

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3 **SECTION 2. All provisions of this act of a general and permanent nature are**  
4 **amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**  
5 **Commission shall incorporate the same in the Code.**

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7 **SECTION 3. If any provision of this act or the application thereof to any person or**  
8 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**  
9 **the act which can be given effect without the invalid provision or application, and to this end**  
10 **the provisions of this act are declared to be severable.**

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

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

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22 **APPROVED: 03/01/93**

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