

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 651 OF 1995
SENATE BILL 555

4 **By: Senator Bookout**
5 **By: Representative B. G. Hendrix**

For An Act To Be Entitled

9 "AN ACT TO PROHIBIT ANY STATE LICENSING AGENCY FROM
10 DISCIPLINING HEALTH CARE PROFESSIONALS WHO ASSIST THE
11 DEPARTMENT OF CORRECTION IN AN EXECUTION; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "PROHIBIT ANY STATE LICENSING AGENCY
16 FROM DISCIPLINING HEALTH CARE
17 PROFESSIONALS WHO ASSIST DEPARTMENT OF
18 CORRECTION IN AN EXECUTION."

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

22 SECTION 1. Any assistance rendered with any execution carried out
23 pursuant to Arkansas Code Annotated § 5-4-617 by any licensed health care
24 professional, including but not limited to physicians, nurses and pharmacists,
25 shall not be cause for any disciplinary or corrective measures by any board or
26 commission created by the state or governed by state law which oversees or
27 regulates the practice of health care professionals, including but not limited
28 to, the Arkansas State Medical Board, Arkansas State Board of Nursing and
29 Arkansas State Board of Pharmacy. The infliction of the punishment of death
30 by administration of the required lethal substances in the manner required by
31 Arkansas Code Annotated § 5-4-617 shall not be construed to be the practice of
32 medicine.

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

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

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 All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that it may be necessary to carry out an execution at a date earlier than the date this act would go into effect without an emergency clause; that this act is vital in order to carry out executions as prescribed by present law; and this act should therefore go into effect immediately. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: 3-16-95

