

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/20/03 H4/9/03

A Bill

Act 1356 of 2003
SENATE BILL 757

5 By: Senator Steele
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For An Act To Be Entitled

9 AN ACT TO REQUIRE WRITTEN INFORMED CONSENT BEFORE
10 GASTRIC BYPASS SURGERY; AND FOR OTHER PURPOSES.
11

Subtitle

12 AN ACT TO REQUIRE WRITTEN INFORMED
13 CONSENT BEFORE GASTRIC BYPASS SURGERY.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 17, Chapter 95, *Subchapter 1* is amended
20 to add an additional section to read as follows:

21 17-95-109. Informed consent required for gastric bypass surgery.

22 (a) No gastric bypass surgery may be performed in this state unless
23 the physician who will perform the surgery has informed the patient in
24 writing, as evidenced by the patient's signature, of the known risks and
25 complications of the procedure, including, but not limited to :

26 (1) The surgery itself;

27 (2) All known and documented future complications that may occur
28 as a result of the procedure;

29 (3) Side effects that may result from vitamin deficiency and
30 malnutrition; and

31 (4) The requirements for appropriate follow up.

32 (b)(1) The Arkansas State Medical Board shall promulgate rules and
33 regulations to enforce this section within six (6) months of the effective
34 date of this section.

35 (2) The rules and regulations shall utilize scientifically
36 accepted information from national medical specialty boards, organizations,



1 or governmental agencies in determining the specific content and lists of
2 complications, side effects, or both, that must be included in the informed
3 consent.

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/s/ Steele

APPROVED: 4/15/2003

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