

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: H2/12/03 S2/26/03

A Bill

Act 341 of 2003
HOUSE BILL 1358

5 By: Representative Biggs
6 By: Senator Bisbee
7
8

For An Act To Be Entitled

9 AN ACT TO PROVIDE A METHOD OF ARBITRATION BETWEEN
10 BOARDS OF THE HEALING ARTS CONCERNING SCOPE OF
11 PRACTICE; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT TO PROVIDE A METHOD OF
15 ARBITRATION BETWEEN BOARDS OF THE
16 HEALING ARTS CONCERNING SCOPE OF
17 PRACTICE.
18
19
20

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

23 SECTION 1. Arkansas Code Title 17, Chapter 80, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 17-80-114. Scope of practice - Complaints.

26 (a) As used in this section, "healing arts" means the practice of any
27 type of profession requiring special education and skill that promotes
28 healing of the human body or that relates to the prevention of illness or
29 disease.

30 (b) No board of the healing arts may take disciplinary action at the
31 board level against a licensee of another board of the healing arts, except
32 as provided in this section.

33 (c)(1) If a licensee or a member of a board of the healing arts
34 believes that a licensee of another board of the healing arts is practicing
35 outside that licensee's proper scope of practice, the licensee or member may
36 file a complaint with his or her own board, but may not file the complaint



1 with any other board of the healing arts.

2 (2) A board of the healing arts that receives a complaint
3 regarding a licensee of another board may file the complaint with that other
4 board.

5 (3) A board of the healing arts receiving a complaint from
6 another board shall:

7 (A) Investigate the complaint;

8 (B) Take whatever action that board considers appropriate
9 pursuant to its practice act and the Administrative Procedure Act, § 25-15-
10 201 et seq.; and

11 (C) Communicate the final disposition of the complaint to:

12 (i) The licensee who is the subject of the
13 complaint; and

14 (ii) The board that filed the complaint.

15 (4) If the disposition of the complaint under subdivision (c)(3)
16 of this section does not satisfy the board that filed the complaint under
17 subdivision (c)(2) of this section, the board that filed the complaint may,
18 and is encouraged to, file an action, declaratory judgment or injunctive
19 relief, against the licensee regarding the complaint in the circuit of the
20 county in which the alleged violation occurred or in the Circuit Court of
21 Pulaski County.

22
23 /s/ Biggs

24
25
26 APPROVED: 3/10/2003