

1 **State of Arkansas**
2 **78th General Assembly**
3 **First Extraordinary Session, 1992**
4 **By: Senator Bookout**

A Bill ACT 45 OF 1992

Call Item 28
SENATE BILL 39

5
6
7 **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE ANN. §17-93-403(b), §17-93-
9 404, §17-93-503, and §17-93-504 SETTING FORTH THE
10 EXAMINATION TO BE ADMINISTERED TO INDIVIDUALS DESIRING A
11 LICENSE OR A TEMPORARY LICENSE TO PRACTICE MEDICINE IN THE
12 STATE OF ARKANSAS; AND FOR OTHER PURPOSES."

13
14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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16 SECTION 1. Arkansas Code Annotated §17-93-403(b) is amended to read as
17 follows:

18 "(b) No person shall be granted a license to practice medicine in the
19 State of Arkansas unless he or she:

20 (1) Is at least twenty-one (21) years of age;

21 (2) Is a citizen of the United States or has made application for
22 citizenship;

23 (3) Is of good moral character and has not been guilty of acts
24 constituting unprofessional conduct as defined in §17-93-409;

25 (4) (A) Is a graduate of:

26 (i) A recognized United States or Canadian medical
27 school whose entrance requirements and course of instruction have been
28 approved by the Council on Medical Education of the American Medical
29 Association; or

30 (ii) A Canadian eclectic medical school which has
31 been approved by the Council on Medical Education of the National Eclectic
32 Medical Association; or

33 (iii) A foreign medical school whose entrance
34 requirements and course of instruction have been approved by the Arkansas
35 State Medical Board. He or she must also have served one (1) year as an
36 intern or resident in an accredited medical school-affiliated hospital in the

1 United States.

2 (B) However, the Arkansas State Medical Board, at such time
3 as it deems expedient, may require of all applicants for licensure a properly
4 verified certificate that they have served one (1) year of internship in a
5 general accredited hospital.

6 (5) Has successfully passed an examination approved by the
7 Arkansas State Medical Board as set forth in their Rules and Regulations."

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9 SECTION 2. Arkansas Code Annotated §17-93-404 is amended to read as
10 follows:

11 "17-93-404. Examinations.

12

13 (a) The Arkansas State Medical Board by and through its Rules and
14 Regulations will approve and designate the examinations to be given to those
15 individuals who desire a license to practice medicine in the State of
16 Arkansas. The Arkansas State Medical Board will further set forth the
17 standards by Rule and Regulation for successful completion of the examination
18 for licensure.

19 (b) Examinations for a license to practice medicine shall be held by
20 the board not less than once in each year at such times and places as may be
21 specified by the board.

22 (c) The examination shall be in writing and shall be of a practical
23 character and conducted on the scientific branches of medicine.

24 (d) All questions and answers, with grades attached, shall be preserved
25 by the executive secretary of the board for a period of one (1) year.

26 (e) If, in the opinion of the board, the applicant possesses the
27 necessary qualifications, the board shall issue to him or her a certificate.

28

29 (f) If an applicant fails to meet the minimum grade requirements in his
30 examination, he may be reexamined upon a filing of a new application and the
31 payment of one-half (1/2) the required fee."

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33 SECTION 3. Arkansas Code Annotated §17-93-503 is amended to read as
34 follows:

35 "17-93-503. Temporary license.

1 (a) The Arkansas State Medical Board may issue a temporary license to
2 any physician who meets the qualifications and requirements for medical
3 licensure as established by the State Medical Board except for successful
4 passage of the examination as prescribed by the Rules and Regulations of the
5 Board. However, the physician must fulfill the following additional
6 conditions and requirements to be eligible for temporary licensure:

7 (1) The physician must practice medicine in an area of critical
8 medical shortage in Arkansas; and

9 (2) The physician, if a graduate of a foreign medical school,
10 must have satisfactorily passed the E.C.F.M.G. examination.

11

12 (b) To be eligible for a renewal of a temporary license by the State
13 Medical Board, the physician must fulfill the following requirements to be
14 administered by the State Medical Board:

15 (1) The physician must submit a written request for the renewal
16 to the State Medical Board;

17 (2) The physician must agree to repeat the examination for
18 licensure during the twelve(12) month term of the renewed temporary license;
19 and

20 (3) The physician must continue to fulfill the conditions and
21 requirements of this subchapter for temporary licensure during the term of the
22 renewed licensure.

23 (c) The State Medical Board shall review the physician's progress
24 toward successfully passing the examination for licensure, as well as the
25 physician's performance in the community where he or she is practicing
26 medicine prior to renewing the physician's temporary license."

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28 SECTION 4. Arkansas Code Annotated §17-93-504 is amended to read as
29 follows:

30 "17-93-504. Remedial training.

31 (a) A temporary license may be granted to an eligible physician for not
32 more than three (3) twelve-month terms.

33 (b)(1) If, after that time, the physician has not satisfactorily passed
34 the examination for licensure, the State Medical Board, in collaboration with
35 the Dean of the College of Medicine of the University of Arkansas for Medical

1 Sciences, shall review the physician's performance and areas of deficiency on
2 the examination for licensure and shall prescribe a plan of remedial training
3 for the physician.

4 (2) The physician must carry out the prescribed plan before being
5 eligible for either a regular license based on successful passage of the
6 examination for licensure or another period of temporary licensure under the
7 same provisions and requirements as were originally applied for his or her
8 temporary license under the provisions of this subchapter."

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10 SECTION 5. All provisions of this Act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

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14 SECTION 6. If any provision of this Act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the Act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 Act are declared to be severable.

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20 SECTION 7. All laws and parts of laws in conflict with this Act are
21 hereby repealed.

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23 SECTION 8. EMERGENCY. It is hereby found and determined by the General
24 Assembly that existing laws regulating the practice of medicine do not provide
25 for an examination that is in existence that can be administered to an
26 individual desiring a license or a temporary license to practice medicine in
27 the State of Arkansas; that a provision setting forth the powers of the
28 Arkansas State Medical Board in selecting an examination to be administered to
29 applicants who seek a license to practice medicine or seek a temporary license
30 to practice medicine in the State of Arkansas is necessary to ensure the
31 proper enforcement and protection of citizens of the State of Arkansas; that
32 there is an emergency need for such a provision and that an enactment of the
33 measure will remedy this situation. Therefore, an emergency is hereby
34 declared to exist and this act being necessary for the preservation of the
35 public peace, health and safety shall be in full force and effect from and

1 after its passage and approval.

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APPROVED: 3-17-92

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