

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.  
Act 495 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 146

4  
5 By: Senator J. Bookout  
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## For An Act To Be Entitled

8  
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE  
10 MEDICAL PRACTICES ACT AND RELATED STATUTES; TO  
11 INCREASE THE PENALTY FOR RENEWAL OF DELINQUENT  
12 MEDICAL LICENSES; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT TO MAKE TECHNICAL CORRECTIONS TO  
16 THE MEDICAL PRACTICES ACT AND RELATED  
17 STATUTES.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 17-95-305(b), concerning disposition of  
23 funds received by the Arkansas State Medical Board, is amended to read as  
24 follows:

25 (b)(1) All moneys received by the board shall be disbursed by the  
26 ~~President~~ Chair or the Executive Secretary of the Arkansas State Medical  
27 Board.

28 (2) The ~~president~~ chair or the executive secretary, or both,  
29 shall furnish a surety bond and should keep a true and faithful account of  
30 all moneys received and all moneys expended.

31 (3) The executive secretary shall file annually with the  
32 Governor a report of all financial transactions duly audited by an  
33 independent accountant.  
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35 SECTION 2. Arkansas Code § 17-95-404(c), concerning examination



1 materials used by the Arkansas State Medical Board, is repealed:

2 ~~(c) Examination materials may be obtained through the Executive~~  
 3 ~~Secretary of the Arkansas State Medical Board for a period of one (1) year~~  
 4 ~~after the date of the examination.~~

5  
 6 SECTION 3. Arkansas Code § 17-95-408(c), concerning renewal of medical  
 7 licenses, is amended to read as follows:

8 (c) Any delinquent licentiate may be reinstated by paying all  
 9 delinquent fees and a penalty of ~~fifteen dollars (\$15.00)~~ fifty dollars  
 10 (\$50.00) for each year or part thereof that he or she has been delinquent.

11  
 12 SECTION 4. Arkansas Code § 17-95-501(b)(3), concerning legislative  
 13 intent regarding medical shortage areas, is amended to read as follows:

14 (3) It is the further intent of this subchapter that neither the  
 15 board nor its executive secretary, when acting in behalf of the board and  
 16 under authority granted to him or her by the board, shall be liable,  
 17 collectively or individually, for civil damages from claims pertaining to the  
 18 administration of this subchapter.

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 20 SECTION 5. Arkansas Code § 17-95-502 is amended to read as follows:

21 17-95-502. Definitions.

22 As used in this subchapter, unless the context otherwise requires:

23 (1) "Critical medical shortage area" is an area wherein there is  
 24 a critical shortage of physicians for the area's population as defined by the  
 25 Department of Health, Education, and Welfare in the Federal Register, Volume  
 26 41, No. 13, dated July 6, 1976, and as updated by the Department of Health  
 27 and Human Services;

28 (2) "E.C.F.M.G." is an examination for graduates of foreign  
 29 medical schools prepared and administered ~~semiannually~~ by the Education  
 30 Council for Foreign Medical Graduates;

31 (3) "FLEX" is the Federal Licensing Examination prepared and  
 32 issued semiannually by the Federation of State Medical Boards of the United  
 33 States, Inc. The Federal Licensing Examination includes three (3) parts: the  
 34 basic science, the clinical science, and the clinical competency average.  
 35 Successful passage of the Federal Licensing Examination with an overall  
 36 weighted average of seventy-five (75) is required for medical licensure by

1 the Arkansas State Medical Board; and

2 (4) "Temporary license" is a license issued by the board to  
3 practice medicine for a period of twelve (12) months in an area of critical  
4 medical shortage as defined in subdivision (1) of this section. A temporary  
5 license may be renewable by the board under the conditions and requirements  
6 of this subchapter for additional periods of twelve (12) months not to exceed  
7 the limitations set forth in § 17-95-504.

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9 SECTION 6. Arkansas Code § 17-95-505 is amended to read as follows:  
10 17-95-505. Nonliability of board.

11 In the application of the authorities and provisions of this  
12 subchapter, neither the Arkansas State Medical Board, either individually or  
13 collectively, nor its executive secretary, when acting on behalf of the  
14 board, shall be held liable for civil damages from claims pertaining to the  
15 administration of the provisions of this subchapter.

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18 APPROVED: 3/02/2005  
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