

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1180

5 By: Representative Gonzales
6

For An Act To Be Entitled

8 AN ACT TO SPECIFY A PROCESS OF REVIEW OF RULES
9 REGARDING SCOPE OF PRACTICE OF HEALTHCARE
10 PROFESSIONALS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 TO SPECIFY A PROCESS OF REVIEW OF RULES
14 REGARDING SCOPE OF PRACTICE OF HEALTHCARE
15 PROFESSIONALS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 25, Chapter 15, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 6 – Rules Regarding Scope of Practice
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25 25-15-601. Definitions.

26 As used in this subchapter:

27 (1) "Healthcare profession" means a profession or occupation in
28 which healthcare services are provided;

29 (2) "Healthcare professional" means an individual who is
30 licensed, certified, or otherwise authorized by the laws of this state to
31 administer health care in the ordinary course of the practice of his or her
32 profession;

33 (3) "Licensing entity" means an office, board, commission,
34 department, council, bureau, or other agency of state government having
35 authority to license, certify, register, permit, or otherwise authorize an
36 individual to engage in a healthcare profession;



1 (4) "Rule regarding scope of practice" means a proposed rule as
2 defined by § 25-15-202, or a proposed amendment to an existing rule as
3 defined by § 25-15-202, that would, if adopted:

4 (A) Require an additional license, certification, or other
5 authorization for a healthcare profession that is not currently licensed,
6 certified, or authorized in this state;

7 (B) Expand the scope of practice of a healthcare
8 professional; or

9 (C) Limit the scope of practice of a healthcare
10 professional; and

11 (5) "Scope of practice" means the procedures, actions,
12 processes, and services that a healthcare professional is authorized to
13 practice in keeping with the terms of his or her license, certification, or
14 other authorization in a particular healthcare profession.

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16 25-15-602. Rules – Additional rule procedure.

17 (a)(1) In addition to complying with the requirements under the
18 Arkansas Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, a
19 licensing entity shall, at least thirty (30) days before the expiration of
20 the period for public comment, file a rule regarding scope of practice with
21 the Senate Committee on Public Health, Welfare, and Labor and the House
22 Committee on Public Health, Welfare, and Labor.

23 (2) The Senate Committee on Public Health, Welfare, and Labor
24 and the House Committee on Public Health, Welfare, and Labor shall review a
25 rule regarding scope of practice within forty-five (45) days of the date the
26 rule regarding scope of practice is filed with the Senate Committee on Public
27 Health, Welfare, and Labor and the House Committee on Public Health, Welfare,
28 and Labor.

29 (b)(1) If adopting an emergency rule regarding scope of practice under
30 § 10-3-309, the licensing entity shall notify the following individuals of
31 the emergency rule regarding scope of practice and provide each individual
32 with a copy of the emergency rule regarding scope of practice within five (5)
33 business days of adopting the emergency rule regarding scope of practice:

34 (A) The Speaker of the House of Representatives;

35 (B) The President Pro Tempore of the Senate;

36 (C) The Chair of the Senate Committee on Public Health,

1 Welfare, and Labor; and

2 (D) The Chair of the House Committee on Public Health,
3 Welfare, and Labor.

4 (2) The Senate Committee on Public Health, Welfare, and Labor
5 and the House Committee on Public Health, Welfare, and Labor shall review the
6 emergency rule regarding scope of practice within forty-five (45) days of the
7 date that the emergency rule regarding scope of practice is provided to the
8 Chair of the Senate Committee on Public Health, Welfare, and Labor and the
9 Chair of the House Committee on Public Health, Welfare, and Labor.

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12 **APPROVED: 4/27/21**
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