

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 170

5 By: Senator Irvin
6

For An Act To Be Entitled

8 AN ACT TO CREATE AN EXEMPTION FOR LICENSURE FOR
9 HEALTHCARE PROFESSIONALS OFFERING FREE HEALTHCARE
10 SERVICES THROUGH A PROGRAM IN PARTNERSHIP WITH THE
11 FEDERAL INNOVATIVE READINESS TRAINING; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO CREATE AN EXEMPTION FOR LICENSURE FOR
16 HEALTHCARE PROFESSIONALS OFFERING FREE
17 HEALTHCARE SERVICES THROUGH A PROGRAM IN
18 PARTNERSHIP WITH THE FEDERAL INNOVATIVE
19 READINESS TRAINING.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. DO NOT CODIFY. Legislative findings.

26 (a) The General Assembly finds that:

27 (1) The Delta Regional Authority operates a program in
28 partnership with the federal Innovative Readiness Training within the United
29 States Department of Defense;

30 (2) This program offers free medical, dental, optical, and
31 veterinary care to the medically underserved and communities with high
32 poverty rates in the forty-two (42) counties that are served by the Delta
33 Regional Authority;

34 (3) The program provides free medical, dental, optical, and
35 veterinary care periodically at local venues in the Delta region;

36 (4) The healthcare professionals who participate in the program



1 are military medical staff who are licensed in their respective fields;

2 (5) Often, these healthcare professionals licensed in their
 3 respective fields are not licensed to practice within the State of Arkansas;
 4 and

5 (6) In order to participate in the program, the healthcare
 6 professionals must obtain temporary licensure from their respective boards in
 7 Arkansas, which can cause delays and barriers to offering free medical,
 8 dental, optical, and veterinary care under the program.

9 (b) It is the intent of the General Assembly to standardize and
 10 streamline the licensing process to authorize healthcare professionals
 11 licensed in other states, commonwealths, territories, or the District of
 12 Columbia to practice while offering free medical, dental, optical, and
 13 veterinary care through a program in partnership with the federal Innovative
 14 Readiness Training.

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 16 SECTION 2. Arkansas Code § 17-81-302 is amended to read as follows:

17 17-81-302. Exempted activities.

18 ~~Nothing herein shall be construed to~~ This chapter does not prohibit or
 19 ~~to~~ require a license ~~hereunder~~ with respect to any of the following acts:

20 (1) The performance of services in case of an emergency;

21 (2)(A) The performance of services in this state on an
 22 occasional basis, limited to ninety (90) days in each calendar year, by a
 23 chiropractor lawfully practicing chiropractic in another state or territory.

24 (B) However, if ~~any such a~~ a chiropractor performs services
 25 on a regular basis, or for his or her regular use maintains or is provided
 26 with any office or other place to meet persons for the performance of ~~such~~
 27 services in the State of Arkansas, he or she shall obtain a license to
 28 practice chiropractic in the State of Arkansas; ~~or~~

29 (3) The practice of medicine and surgery, osteopathy, dentistry,
 30 podiatry, optometry, Christian Science, physical therapy, cosmetology,
 31 therapy technology, or any other branch of the healing arts as defined by the
 32 laws of this state as now or hereafter enacted, it not being intended by this
 33 chapter to limit, restrict, enlarge, or alter the privileges and practices of
 34 any of these professions or branches of the healing arts; or

35 (4) The practice of chiropractic through a program in
 36 partnership with the federal Innovative Readiness Training if the

1 chiropractor has obtained a license to practice from another state,
2 commonwealth, territory, or the District of Columbia.

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4 SECTION 3. Arkansas Code § 17-82-302, concerning exemptions to
5 licensure under the Arkansas Dental Practice Act, is amended to add an
6 additional subdivision to read as follows:

7 (7) The practice of dentistry or dental hygiene through a
8 program in partnership with the federal Innovative Readiness Training if the
9 dentist or dental hygienist has obtained a license to practice from another
10 state, commonwealth, territory, or the District of Columbia.

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12 SECTION 4. Arkansas Code § 17-87-103, concerning exceptions to
13 licensure related to nursing, is amended to add an additional subdivision to
14 read as follows:

15 (13) The practice of nursing through a program in partnership
16 with the federal Innovative Readiness Training if the nurse has obtained a
17 license to practice from another state, commonwealth, territory, or the
18 District of Columbia.

19
20 SECTION 5. Arkansas Code § 17-90-102 is amended to read as follows:

21 17-90-102. Exemptions.

22 ~~Nothing in this chapter, except as expressly provided otherwise, shall~~
23 ~~apply~~ This chapter does not:

24 (1) Apply to physicians and surgeons nor to persons who sell
25 eyeglasses, spectacles, lenses, contact lenses, frames, mountings, or prisms
26 at wholesale on individual prescriptions to optometrists, physicians, and
27 surgeons, nor shall it prohibit;

28 (2) Prohibit the sale of ready-made eyeglasses and spectacles
29 when sold as merchandise at any established place of business where no
30 attempt is made to practice optometry; or

31 (3) Apply to the practice of optometry through a program in
32 partnership with the federal Innovative Readiness Training if the optometrist
33 has obtained a license to practice from another state, commonwealth,
34 territory, or the District of Columbia.

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36 SECTION 6. Arkansas Code § 17-93-301(c), concerning the licensure of

1 physical therapists and the exceptions to licensure within the Arkansas
2 Physical Therapy Act, is amended to add an additional subdivision to read as
3 follows:

4 (9) A physical therapist providing services through a program in
5 partnership with the federal Innovative Readiness Training if the physical
6 therapist has obtained a license to practice from another state,
7 commonwealth, territory, or the District of Columbia.

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9 SECTION 7. Arkansas Code § 17-95-203, concerning exemptions to
10 licensure under the Arkansas Medical Practices Act, is amended to add an
11 additional subdivision to read as follows:

12 (12) The practice of medicine through a program a program in
13 partnership with the federal Innovative Readiness Training if the physician
14 has obtained a license to practice from another state, commonwealth,
15 territory, or the District of Columbia.

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17 SECTION 8. Arkansas Code § 17-97-103 is amended to read as follows:
18 17-97-103. Exceptions generally.

19 (a) ~~Nothing in this chapter prevents~~ This chapter does not prohibit:

20 (1) The teaching of psychology or the conduct of psychological
21 research by licensed or unlicensed psychologists or other licensed or
22 unlicensed professionals under the laws of Arkansas if the teaching or
23 research does not involve the delivery or supervision of direct services to
24 individuals who are themselves, rather than a third party, the intended
25 beneficiaries of the services without regard to the source or extent of
26 payment for services rendered;

27 (2) The provision of expert testimony by psychologists who are
28 exempted by this chapter;

29 (3) Members of other professions licensed under the laws of
30 Arkansas from rendering services within the scope of practice as set out in
31 the statutes regulating their professional practices, if they do not
32 represent themselves to be psychologists or psychological examiners;

33 (4) Recognized members of the clergy from functioning in their
34 ministerial capacities, if they do not represent themselves to be
35 psychologists or psychological examiners or their services to be
36 psychological services; ~~or~~

1 (5) Students of psychology, psychological interns, psychological
2 residents, and other persons preparing for the profession of psychology from
3 performing as a part of their training the functions specified in § 17-97-
4 102, but only under qualified supervision; or

5 (6) The practice of psychology through a program in partnership
6 with the federal Innovative Readiness Training if the psychologist or
7 psychological examiner has obtained a license to practice from another state,
8 commonwealth, territory, or the District of Columbia.

9 (b) ~~Persons~~ A person holding an earned doctoral degree in psychology
10 from an institution of higher education may use the title “Psychologist” in
11 conjunction with the activities permitted in subdivisions (a)(1) and (2) of
12 this section.

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14 SECTION 9. Arkansas Code § 17-101-307(b), concerning exemptions to
15 licensure under the Arkansas Veterinary Medical Practice Act, is amended to
16 add an additional subdivision to read as follows:

17 (11) The practice of veterinary medicine through a program in
18 partnership with the federal Innovative Readiness Training if the
19 veterinarian or veterinary technician has obtained a license to practice from
20 another state, commonwealth, territory, or the District of Columbia.

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22 SECTION 10. Arkansas Code § 17-105-106 is amended to read as follows:
23 17-105-106. Exemption from licensure.

24 ~~Nothing in this chapter shall be construed to~~ This chapter does not
25 require licensure of:

26 (1) A physician assistant student enrolled in a physician
27 assistant or surgeon assistant educational program accredited by the
28 Committee on Allied Health Education and Accreditation or by its successor
29 agency;

30 (2) A physician assistant employed in the service of the federal
31 government while performing duties incident to that employment;

32 (3) Technicians, other assistants, or employees of physicians
33 who perform delegated tasks in the office of a physician but who are not
34 rendering services as a physician assistant or identifying themselves as a
35 physician assistant;

36 (4) A physician assistant in the service of the State Military

1 Department or the Arkansas National Guard, or both. These physician
2 assistants shall be allowed to perform their physician assistant practice
3 duties, including prescribing, in the same manner as they would if
4 federalized by the United States Government; ~~or~~

5 (5) A physician assistant who is temporarily transiting through
6 the State of Arkansas while caring for a patient, provided that he or she
7 remains under the supervision of his or her supervising physician; or

8 (6) A physician assistant providing services through a program
9 in partnership with the federal Innovative Readiness Training if the
10 physician assistant has obtained a license to practice from another state,
11 commonwealth, territory, or the District of Columbia.

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