

RULE 24 RULES GOVERNING PHYSICIAN ASSISTANTS

1. A physician assistant must possess a license issued by the Arkansas State Medical Board prior to engaging in such occupation.

2. To obtain a license from the Arkansas State Medical Board the physician assistant must do the following:

a. Answer all questions to include the providing of all documentation requested on an application form as provided by the Arkansas State Medical Board;

b. Pay the required fee for licensure as delineated elsewhere in this rule;

c. Provide proof of successful completion of Physician Assistant National Certifying Examination, as administered by the National Commission on Certification of Physician Assistants;

d. Certify and provide such documentation, as the Arkansas State Medical Board should require that the applicant is mentally and physically able to engage safely in the role as a physician assistant;

e. Certify that the applicant is not under any current discipline, revocation, suspension or probation or investigation from any other licensing board;

f. Provide letters of recommendation as to ~~good moral character and~~ quality of practice history;

g. The applicant should be at least 21 years of age;

h. Show proof of graduation with a Bachelor's Degree from an accredited college or university or prior service as a military corpsman;

i. Provide proof of graduation from a physician assistant education program recognized by the Accreditation Review Commission on Education for the Physician Assistant or by its successor agency, and has passed the Physician Assistant National Certifying Examination administered by the National Commission on Certification of Physician Assistants;

j. The submission ~~and approval by to~~ the Board of a delegation agreement delineating the scope of practice that the physician assistant will engage in, the program of evaluation and supervision by the supervising physician;

~~k. The receipt and approval by the Arkansas State Medical Board of the supervising physician for the physician assistant on such forms as issued by the Arkansas State Medical Board;~~

3. If an applicant for a license submits all of the required information, complies with all the requirements in paragraph 2, except paragraph 2 (j) and the same is reviewed and approved by the Board, then the applicant may request a Letter of Intent from the Board and the Board may issue the same. Said Letter of Intent from the Board will state that the applicant has complied

with all licensure requirements of the Board except the submission of a Delegation Agreement and supervising physician and that upon those being submitted ~~and approved by~~ to the Board, it is the intent of the board to license the applicant as a physician assistant. Said Letter of Intent will expire six (6) months from date of issue.

#### 4. The Delegation Agreement

a. This delegation agreement is to be completed and signed by the physician assistant and his/her designated supervising physician. Said delegation agreement will be written in the form issued by the Arkansas State Medical Board. Said protocol must be accepted ~~and approved~~ by the Arkansas State Medical Board prior to licensure of the physician assistant.

b. The delegation agreement as completed by the physician assistant and the supervising physician will include the following:

(1) area or type of practice;

(2) location of practice;

(3) geographic range of supervising physician;

(4) the type and frequency of supervision by the supervising physician;

(5) the process of evaluation by the supervising physician;

(6) the name of the supervising physician;

(7) the qualifications of the supervising physician in the area or type of practice that the physician assistant will be functioning in;

(8) the type of drug prescribing authorization delegated to the physician assistant by the supervising physician;

(9) the name of the back-up supervising physician(s) and a description of when the back-up supervising physician(s) will be utilized.

c. A copy of the approved must be kept at the practice location of the physician assistant.



5. a. A physician assistant must be authorized by his supervising physician to prescribe legend drugs and scheduled medication for patients. Said authorization must be stated in the delegation agreement and the request approved by the Board. A supervising physician may only authorize a physician assistant to prescribe schedule medication that the physician is authorized to prescribe. A physician assistant may only be authorized to receive, prescribe, order and administer schedule ~~3~~ 32 through 5 medications, except that a physician assistant may prescribe hydrocodone combination products reclassified from Schedule 3 to Schedule 2 as of October 6, 2014, if authorized by the physician assistant's supervising physician, and in accord with other

requirements of the section. Prescriptions written by a physician assistant must contain the name of the supervising physician on the prescription. A physician assistant's prescriptive authority extends to drugs in Schedule 2, except regarding hydrocodone as stated above, only if the prescription is for: (1) an opioid, if the prescription is only for a five-day period or less; or (2) a stimulant, if the prescription was originally initiated by a physician; the physician has evaluated the patient within six (6) months before the physician assistant issues a prescription; and the prescription by the physician assistant is to treat the same condition as the original prescription.

b. The physician assistant will make an entry in the patient chart noting the name of the medication, the strength, the dosage, the quantity prescribed, the directions, the number of refills, together with the signature of the physician assistant and the printed name of the supervising physician for every prescription written for a patient by the physician assistant.

~~c. The supervising physician shall be identified on all prescriptions and orders of the patient in the patient chart if issued by a physician assistant. Patient care orders generated by a physician assistant shall be construed as having the same medical, health, and legal force and effect as if the orders were generated by the physician assistant's supervising physician. The orders shall be complied with and carried out as if the orders has been issued by the physician assistant's supervising physician.~~

d. Physician assistants who prescribe controlled substances shall register with the Drug Enforcement Administration as part of the Drug Enforcement Administration's Mid-Level Practitioner Registry, 21 C.F.R. Part 1300, 58 FR 3 1 171-31175, and the Controlled Substances Act.

6. A supervising physician and/or back-up supervising physician(s) should be available for immediate telephone contact with the physician assistant any time the physician assistant is rendering services to the public.

~~7. a. The supervising physician for a physician assistant must fill out a form provided by the Board prior to him becoming a supervising physician. Said supervising physician must provide to the Board his name, business address, licensure, his qualifications in the field of practice in which the physician assistant will be practicing and the name(s) of the physician assistant(s) he intends to supervise.~~

~~b. The supervising physician must attest to the Board that they have read the rules governing physician assistant and will abide by them and that they understand that they take full responsibility for the actions of the physician assistant while that physician assistant is under their supervision.~~

~~c. Back-up or alternating supervising physicians must adhere to the same statutory and regulatory rules as the primary supervising physician.~~

~~d. The supervising physician and the back-up supervising physician must be skilled and trained in a similar scope of practice as the tasks that have been assigned to and will be performed by the physician assistant that they will supervise.~~

87. a. Physician assistants provide medical services to patients consistent with the physician assistant's license, area of practice, or authorized under the delegation agreement in a pre-approved area of medicine. Physician assistants will have to provide medical services to the patients consistent with the standards that a licensed physician would provide to a patient. As such, the physician assistant must comply with the standards of medical care of a licensed physician as stated in the Medical Practices Act, the Rules ~~and Rules [FN1]~~ of the Board and the Orders of the Arkansas State Medical Board. A violation of said standards can result in the revocation or suspension of the license when ordered by the Board after disciplinary charges are brought.

b. A physician assistant must clearly identify himself or herself to the patient by displaying an appropriate designation, that is a badge, name plate with the words "physician assistant" appearing thereon.

c. A physician assistant will not receive directly from a patient or an insurance provider of a patient any monies for the services he or she renders the patient. Payment of any bills or fees for labor performed by the physician assistant will be paid to the employer of the physician assistant and not directly to the physician assistant.

d. A physician assistant may pronounce death and may authenticate with his or her signature a form that may be authenticated by a supervising physician's signature as authorized under A.C.A. §17-80-120.

e. A physician assistant may render care within his or her scope of practice when responding to a need for medical care created by an emergency or a state or local disaster if the physician assistant is: (1) licensed in this state; (2) licensed or authorized to practice in another state or territory; or (3) credentialed as a physician assistant by a federal employer. A physician assistant who voluntarily and gratuitously, other than in the ordinary course of his or her employment or practice, renders emergency medical assistance is not liable for civil damages for personal injuries that result from acts or omissions of the physician assistant that may constitute ordinary negligence.

98. The supervising physician is liable for the acts of a physician assistant whom he or she is supervising if said acts of the physician assistant arise out of the powers granted the physician assistant by the supervising physician. The supervising physician may have charges brought against him by the Arkansas State Medical Board and receive sanctions if the physician assistant should violate the standards of medical practice as set forth in the Medical Practices Act, the Rules ~~and Rules [FN1]~~ of the Board and the standards of the medical community.

A supervising physician will notify the Arkansas State Medical Board within 10 days after notification of a claim or filing of a lawsuit for medical malpractice against a Physician Assistant, whom he supervises. Notice to the Board shall be sent to the office of the Board and upon such forms as may be approved by the Board. If the malpractice claim is in the form of a complaint in a filed lawsuit, a copy of the complaint shall be furnished to the Board along with the

notification required by this Section.

**109.** Continuing Medical Education:

- a. A physician assistant who holds an active license to practice in the State of Arkansas shall complete 20 credit hours per year continuing medical education.
- b. If a person holding an active license as a physician assistant in this State fails to meet the foregoing requirement because of illness, military service, medical or religious missionary activity, residence in a foreign country, or other extenuating circumstances, the Board upon appropriate written application may grant an extension of time to complete the same on an individual basis.
- c. Each year, with the application for renewal of an active license as a physician assistant in this state, the Board will include a form which requires the person holding the license to certify by signature, under penalty of perjury, and disciplined by the Board, that he or she has met the stipulating continuing medical education requirements. In addition, the Board may randomly require physician assistants submitting such a certification to demonstrate, prior to renewal of license, satisfaction of continuing medical education requirements stated in his or her certification.
- d. Continuing medical education records must be kept by the licensee in an orderly manner. All records relative to continuing medical education must be maintained by the licensee for at least three years from the end of the reporting period. The records or copies of the forms must be provided or made available to the Arkansas State Medical Board.
- e. Failure to complete continuing education hours as required or failure to be able to produce records reflecting that one has completed the required minimum medical education hours shall be a violation and may result in the licensee having his license suspended and/or revoked.
- f. A physician assistant who is authorized to prescribe Schedule II hydrocodone combination products reclassified from Schedule 3 to Schedule 2 as of October 6, 2014, must complete at least five (5) continuing education hours in the area of pain management.
- g. Each year, each physician assistant shall obtain at least one (1) hour of CME credit specifically regarding the prescribing of opioids and benzodiazepines. The one hour may be included in the twenty (20) credit hours per year of continuing medical education required and shall not constitute an additional hour of CME per year.

**110.** Physician Assistants, HIV, HBV and HCV: Physicians assistants shall adhere to Rule 16 concerning HIV, HBV, and HCV.

1 State of Arkansas As Engrossed: S2/23/21 S3/17/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 152

4

5 By: Senator K. Hammer

6 By: Representative Springer

7

8

## For An Act To Be Entitled

9 AN ACT TO AMEND THE MEMBERSHIP OF THE ARKANSAS STATE  
10 MEDICAL BOARD; TO AMEND THE SUPERVISION AND  
11 PRESCRIPTIVE AUTHORITY OF PHYSICIAN ASSISTANTS; AND  
12 FOR OTHER PURPOSES.

13

14

15

## Subtitle

16

TO AMEND THE MEMBERSHIP OF THE ARKANSAS  
17 STATE MEDICAL BOARD; AND TO AMEND THE  
18 SUPERVISION AND PRESCRIPTIVE AUTHORITY  
19 OF PHYSICIAN ASSISTANTS.

20

21

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

23

24 SECTION 1. Arkansas Code § 17-95-301(b), concerning the creation and  
25 members of the Arkansas State Medical Board, is amended to read as follows:

26 (b)(1)(A) The board shall consist of ~~fourteen (14)~~ fifteen (15)

27 members appointed by the Governor for terms of six (6) years.

28

29 (B) The Governor shall consider diversity of practice  
30 specialties and geographical areas of practice in making appointments to the  
31 board.

31

32 (2)(A)(i) Ten (10) members shall be ~~duly~~ qualified, licensed,  
33 and active medical practitioners ~~and~~ appointed by the Governor after  
34 consulting the Governor has consulted the Arkansas Medical Society, Inc., and  
35 shall be subject to confirmation by the Senate.

35

36



1 (iii) Two (2) members shall be appointed at large.

2 (B) Congressional district representation required under  
3 this subdivision (b)(2) shall be achieved by appointment as vacancies occur.

4 (3) One (1) member shall be a licensed practicing physician in  
5 this state and shall be appointed by the Governor ~~consulting~~ the Governor has  
6 consulted the Physicians' Section of the Arkansas Medical, Dental, and  
7 Pharmaceutical Association, Inc. and shall be subject to confirmation by the  
8 Senate.

9 (4)(A) Two (2) members of the board shall not be actively  
10 engaged in or retired from the practice of medicine.

11 (B) One (1) member shall represent consumers, and one (1)  
12 member shall be sixty (60) years of age or older and shall represent the  
13 elderly.

14 (C) Both shall be appointed from the state at large  
15 subject to confirmation by the Senate.

16 (D) The two (2) positions may not be held by the same  
17 person.

18 (E) Both shall be full voting members but shall not  
19 participate in the grading of examinations.

20 (5) One (1) member shall be a ~~duly~~ qualified, licensed, and  
21 practicing osteopathic physician ~~and~~ appointed after consulting the Arkansas  
22 Osteopathic Medical Association and shall be subject to confirmation by the  
23 Senate.

24 (6) One (1) member shall be a qualified, licensed, and  
25 practicing physician assistant appointed by the Governor after the Governor  
26 has consulted with the Arkansas Academy of Physician Assistants and shall be  
27 subject to confirmation by the Senate.

28

29 SECTION 2. Arkansas Code § 17-95-301(d), concerning the creation and  
30 members of the Arkansas State Medical Board, is amended to add an additional  
31 subdivision to read as follows:

32 (5) In the event that a vacancy exists in the position of the  
33 licensed physician assistant appointed under subsection (b) of this section  
34 due to death, resignation, or other causes, a successor to the position shall  
35 be appointed by the Governor for the remainder of the term of the licensed  
36 physician assistant in the same manner as provided in this subchapter for the

1 initial appointment.

2

3 SECTION 3. Arkansas Code § 17-95-301(h)(1)(C)(i), concerning the  
4 creation and members of the Arkansas State Medical Board, is amended to read  
5 as follows:

6 (C)(i) For any reason that would justify probation,  
7 suspension, or revocation of a physician's license to practice medicine under  
8 the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq.,  
9 and § 17-95-401 et seq., or for any reason that would justify probation,  
10 suspension, or revocation of a physician assistant's license to practice  
11 under § 17-105-101 et seq., which shall be referred directly to the Division  
12 of Pharmacy Services and Drug Control of the Department of Health by the  
13 Governor for investigation as provided in § 17-80-106.

14

15 SECTION 4. Arkansas Code § 17-95-301, concerning the creation and  
16 members of the Arkansas State Medical Board, is amended to add an additional  
17 subsection to read as follows:

18 (i) A physician assistant appointed to the board shall:

19 (1) Remain in active practice for the full term of the  
20 appointment; or

21 (2) Resign if, with more than one (1) year remaining of the  
22 appointed term, the physician assistant is no longer actively practicing as a  
23 physician assistant.

24

25 SECTION 5. Arkansas Code § 17-95-801(a)(2)(A), concerning the members  
26 of the Physician Assistant Committee, is amended to read as follows:

27 (A) Three (3) members who shall be members of the board.

28 (i) Two (2) members as described in this subdivision  
29 (a)(2)(A) shall be physicians.

30 (ii) One (1) member as described in this subdivision  
31 (a)(2)(A) shall be a physician assistant; and

32

33 SECTION 6. Arkansas Code § 17-95-802 is amended to read as follows:  
34 17-95-802. Duties of Physician Assistant Committee.

35 The Physician Assistant Committee shall review and make recommendations  
36 at the request of the Arkansas State Medical Board regarding all matters



1 relating to physician assistants, including without limitation:

2 ~~(1) Review all applications for physician assistants' licensure~~  
3 ~~and for renewal of physician assistants' licensure;~~

4 ~~(2) Review protocols between a physician assistant and a~~  
5 ~~supervising physician;~~

6 ~~(3) Recommend to the Arkansas State Medical Board approval or~~  
7 ~~disapproval of applications submitted under subdivision (1) of this section~~  
8 ~~and of protocols reviewed under subdivision (2) of this section; and~~

9 ~~(4) Recommend the approval, disapproval, or modification of the~~  
10 ~~application for prescriptive privileges for a physician assistant.~~

11 (1) Applications for licensure and renewal;

12 (2) Disciplinary proceedings; and

13 (3) Any other issues pertaining to the regulation and practice  
14 of physician assistants.

15  
16 SECTION 7. Arkansas Code § 17-105-101(1), concerning the definition of  
17 "physician assistant", is amended to read as follows:

18 (1)~~(A)~~ "Physician assistant" means a person healthcare  
19 professional qualified by academic and clinical education and licensed by the  
20 Arkansas State Medical Board to provide healthcare services and who has:

21 ~~(i)(A)~~ Graduated from a physician assistant or  
22 surgeon assistant program accredited by the American Medical Association's  
23 Committee on Allied Health Education and Accreditation or the Commission on  
24 Accreditation of Allied Health Education Programs for the education and  
25 training of physician assistants that has been approved by the Accreditation  
26 Review Commission on Education for the Physician Assistant or its successors;

27 and

28 ~~(ii)(B)~~ Passed the certifying examination  
29 administered by the National Commission on Certification of Physician  
30 Assistants;

31 ~~(B)(C)~~ The physician assistant is a dependent medical  
32 practitioner who:

33 (i) Provides healthcare services under the  
34 supervision of a physician; and

35 (ii) Works under a physician drafted protocol  
36 approved by the Arkansas State Medical Board, which describes how the

1 ~~physician assistant and the physician will work together and any practice~~  
2 ~~guidelines required by the supervising physician~~ a delegation agreement with  
3 a physician;  
4

5 SECTION 8. Arkansas Code § 17-105-102(b)(3), concerning the  
6 qualifications for licensure as a physician assistant, is amended to read as  
7 follows:

8 (3) Has successfully completed an educational program for  
9 physician assistants ~~or surgeon assistants~~ accredited by the Accreditation  
10 Review Commission on Education for the Physician Assistant or by its  
11 successor agency and has passed the Physician Assistant National Certifying  
12 Examination administered by the National Commission on Certification of  
13 Physician Assistants;  
14

15 SECTION 9. Arkansas Code § 17-105-106(1), concerning the exemption  
16 from licensure as a physician assistant, is amended to read as follows:

17 (1) A physician assistant student enrolled in a physician  
18 assistant ~~or surgeon assistant~~ educational program accredited by the  
19 ~~Commission on Accreditation of Allied Health Education Programs~~ Accreditation  
20 Review Commission on Education for the Physician Assistant or by its  
21 successor agency;  
22

23 SECTION 10. Arkansas Code §§ 17-105-107 and 17-105-108 are amended to  
24 read as follows:

25 17-105-107. Scope of authority – Delegatory authority ~~—Agent of~~  
26 ~~supervising physician.~~

27 (a)(1) ~~Physician assistants provide healthcare services with physician~~  
28 ~~supervision~~ A physician assistant may provide healthcare services a physician  
29 assistant is licensed or otherwise authorized to perform under an agreement  
30 with a supervising physician. The supervising physician shall be identified  
31 ~~on all prescriptions and orders.~~

32 (2) ~~Physician assistants~~ A physician assistant may perform those  
33 duties and responsibilities, including prescribing, ordering, and  
34 administering drugs and medical devices, that are delegated by ~~their~~  
35 ~~supervising physicians~~ a supervising physician under an agreement determined  
36 at the practice level.

1           (3) A supervising physician shall not delegate to a physician  
2 assistant the duty or responsibility to perform or induce an abortion.

3           (b)(1) Physician assistants shall be considered the agents of their  
4 supervising physicians in the performance of all practice-related activities,  
5 including, but not limited to, the ordering of diagnostic, therapeutic, and  
6 other medical services.

7           (2) A physician assistant may provide medical services delegated  
8 by a supervising physician when the service is within the skills of the  
9 physician assistant, forms a component of the supervising physician's scope  
10 of practice, and is conducted under the supervision of the supervising  
11 physician.

12           (c) Physician assistants may perform healthcare services in any  
13 setting authorized by the supervising physician in accordance with any  
14 applicable facility policy.

15           ~~(d) Nothing in this chapter shall be construed to authorize a~~  
16 ~~physician assistant to:~~

17           ~~(1) Examine the human eye or visual system for the purpose of~~  
18 ~~prescribing glasses or contact lenses or the determination of the refractive~~  
19 ~~power for surgical procedures;~~

20           ~~(2) Adapt, fill, duplicate, modify, supply, or sell contact~~  
21 ~~lenses or prescription eye glasses; or~~

22           ~~(3) Prescribe, direct the use of, or use any optical device in~~  
23 ~~connection with ocular exercises, vision training, or orthoptics.~~

24           (d) A physician assistant may pronounce death and may authenticate  
25 with his or her signature a form that may be authenticated by a supervising  
26 physician's signature as authorized under § 17-80-120.

27  
28           17-105-108. Prescriptive authority.

29           (a)(1) Physicians supervising physician assistants may delegate  
30 prescriptive authority to physician assistants to include receiving,  
31 prescribing, ordering, and administering Schedule III-V Schedule II-V  
32 controlled substances as described in the Uniform Controlled Substances Act,  
33 § 5-64-101 et seq., and 21 C.F.R. Part 1300, all legend drugs, and all  
34 nonschedule prescription medications and medical devices. All prescriptions  
35 and orders issued by a physician assistant shall identify his or her  
36 supervising physician.

1           (2) A physician assistant's prescriptive authority extends to  
2 drugs listed in Schedule II only if the prescription is for:

3           (A) An opioid, if the prescription is only for a five-day  
4 period or less; or

5           (B) A stimulant, if the prescription meets the following  
6 criteria:

7           (i) The prescription was originally initiated by a  
8 physician;

9           (ii) The physician has evaluated the patient within  
10 six (6) months before the physician assistant issues a prescription; and

11           (iii) The prescription by the physician assistant is  
12 to treat the same condition as the original prescription.

13           (b) A physician assistant may prescribe hydrocodone combination  
14 products reclassified from Schedule III to Schedule II as of October 6, 2014,  
15 if authorized by the physician assistant's supervising physician and in  
16 accordance with other requirements of this section.

17           (c) At no time shall a physician assistant's level of prescriptive  
18 authority exceed that of the supervising physician.

19           (d) Physician assistants who prescribe controlled substances shall  
20 register with the United States Drug Enforcement Administration as part of  
21 the United States Drug Enforcement Administration's Mid-Level Practitioner  
22 Registry, 21 C.F.R. Part 1300, 58 FR 31171-31175, and the Controlled  
23 Substances Act.

24           (e) The Arkansas State Medical Board shall promptly adopt rules  
25 concerning physician assistants that are consistent with the board's rules  
26 governing the prescription of dangerous drugs and controlled substances by  
27 physicians.

28  
29           SECTION 11. Arkansas Code § 17-105-110 is amended to read as follows:  
30           17-105-110. Supervising physician.

31           A physician desiring to supervise a physician assistant must:

32           (1) Be licensed in this state; and

33           (2) ~~Notify the Arkansas State Medical Board of his or her~~  
34 ~~intent to supervise a physician assistant; and~~ Enter into and maintain a  
35 written agreement with the physician assistant.

36           (B) The agreement shall state that the physician shall:

1                    (i) Exercise supervision over the physician  
2 assistant in accordance with this section and rules adopted by the Arkansas  
3 State Medical Board; and

4                    (ii) Retain professional and legal responsibility  
5 for the care provided by the physician assistant.

6                    (C) The agreement shall be signed by the physician and the  
7 physician assistant and updated annually.

8                    ~~(3) Submit a statement to the board that he or she will exercise~~  
9 ~~supervision over the physician assistant in accordance with any rules adopted~~  
10 ~~by the board.~~

11  
12                    SECTION 12. Arkansas Code § 17-105-111 is amended to read as follows:  
13                    17-105-111. Notification ~~of intent to practice.~~

14                    ~~(a) Before initiating practice, a physician assistant licensed in this~~  
15 ~~state must submit on forms approved by the Arkansas State Medical Board~~  
16 ~~notification of such an intent. The notification shall include:~~

17                    ~~(1) The name, business address, email address, and telephone~~  
18 ~~number of the supervising physician; and~~

19                    ~~(2) The name, business address, and telephone number of the~~  
20 ~~physician assistant.~~

21                    ~~(b)~~ A physician assistant shall notify the ~~board~~ Arkansas State  
22 Medical Board of any changes or additions in supervising physicians within  
23 ten (10) calendar days.

24  
25                    SECTION 13. Arkansas Code § 17-105-113 is amended to read as follows:  
26                    17-105-113. Violation.

27                    Following the exercise of due process, the Arkansas State Medical Board  
28 may discipline any physician assistant who:

29                    (1) Fraudulently or deceptively obtains or attempts to obtain a  
30 license;

31                    (2) Fraudulently or deceptively uses a license;

32                    (3) Violates any provision of this chapter or any rules adopted  
33 by the board pertaining to this chapter or any other laws or rules governing  
34 licensed healthcare professionals;

35                    (4) Is convicted of a felony listed under § 17-3-102;

36                    (5) Is a habitual user of intoxicants or drugs to such an extent

1 that he or she is unable to safely perform as a physician assistant;

2 (6) Has been adjudicated as mentally incompetent or has a mental  
3 condition that renders him or her unable to safely perform as a physician  
4 assistant; ~~or~~

5 (7) Represents himself or herself as a physician;

6 (8) Is negligent in practice as a physician assistant;

7 (9) Demonstrates professional incompetence;

8 (10) Violates patient confidentiality except as required by law;

9 (11) Engages in conduct likely to deceive, defraud, or harm the  
10 public;

11 (12) Engages in unprofessional or immoral conduct;

12 (13) Prescribes, sells, administers, distributes, orders, or  
13 gives away a drug classified as a controlled substance for other than  
14 medically accepted therapeutic purposes;

15 (14) Has been disciplined by this state or another state or  
16 jurisdiction for acts or conduct similar to acts or conduct that would  
17 constitute grounds for disciplinary action as defined in this section; or

18 (15) Fails to cooperate with an investigation conducted by the  
19 board.

20  
21 SECTION 14. Arkansas Code § 17-105-115(a)(3), concerning title and  
22 practice protection of physician assistants, is amended to read as follows:

23 (3) Acts as a physician assistant without being licensed by the  
24 Arkansas State Medical Board.

25  
26 SECTION 15. Arkansas Code § 17-105-116 is amended to read as follows:

27 17-105-116. Identification requirements.

28 Physician assistants licensed under this chapter shall keep their  
29 license available for inspection at their primary place of ~~business~~ practice  
30 and when engaged in their professional activities shall wear a name tag  
31 identifying themselves as a physician assistant.

32  
33 SECTION 16. Arkansas Code § 17-105-122(a), concerning physician  
34 assistant patient care orders, is amended to read as follows:

35 (a) Patient care orders generated by a physician assistant shall be  
36 construed as having the same medical, health, and legal force and effect as

1 if the orders were generated by ~~their~~ the physician assistant's supervising  
2 physician, ~~provided that the supervising physician's name is identified in~~  
3 ~~the patient care order.~~

4  
5 SECTION 17. Arkansas Code Title 17, Chapter 105, Subchapter 1, is  
6 amended to add an additional section to read as follows:

7 17-105-124. Participation in disaster and emergency care.

8 (a) A physician assistant may render care within his or her scope of  
9 practice when responding to a need for medical care created by an emergency  
10 or a state or local disaster if the physician assistant is:

11 (1) Licensed in this state;

12 (2) Licensed or authorized to practice in another state or  
13 territory; or

14 (3) Credentialed as a physician assistant by a federal employer.

15 (b)(1) A physician assistant who voluntarily and gratuitously, other  
16 than in the ordinary course of his or her employment or practice, renders  
17 emergency medical assistance is not liable for civil damages for personal  
18 injuries that result from acts or omissions of the physician assistant that  
19 may constitute ordinary negligence.

20 (2) The immunity granted by subdivision (b)(1) of this section  
21 does not apply to acts or omissions of a physician assistant that constitute  
22 gross, willful, or wanton negligence.

23  
24 */s/K. Hammer*

25  
26  
27 **APPROVED: 4/12/21**