

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

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2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0200 Abstracters' Board of Examiners, Arkansas

ACT#: 133

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PROFESSIONAL FEES. The appropriation made available in the Professional Fees Line Item of this Act shall be made available to the board for the purpose of contracting an independent or private investigator to perform any investigative task as needed or may be required by law. Abstracter Board members may not act as investigators nor do investigative work required by the board.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0265 Chiropractic Examiners, AR State Board of

ACT#: 200

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INVESTIGATIVE SERVICES FOR CONSUMER COMPLAINTS. Ten thousand dollars (\$10,000) of the available appropriation in the Professional Fees Line item of this act shall be made available to the board for the purpose of contracting an independent or private investigator for investigative services regarding complaints submitted by consumers.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0265 Chiropractic Examiners, AR State Board of

ACT#: 200

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CODE AMENDMENT. Arkansas Code § 17-81-304, concerning applications for licensing to practice chiropractic, is amended to read as follows:

17-81-304. Application - Fees.

(a)(1)(A) Applications for license to practice chiropractic in the State of Arkansas shall be made to the Executive Director of the Arkansas State Board of Chiropractic Examiners in writing on forms furnished by the board.

(B) The application shall be signed by the applicant in his or her own handwriting and acknowledged before an officer authorized to administer oaths.

(2) The applicant must submit proof satisfactory to the board of graduation from a chartered school or college of chiropractic as herein described and file with his or her application the affidavits of at least two (2) licensed and reputable doctors of chiropractic showing him or her to be of good moral character.

(3) The application shall be accompanied by the payment of one hundred fifty dollars (\$150), and fifty dollars (\$50.00) for an orientation fee.

(4) The application shall be filed with the executive director not less than forty-five (45) days before the next regular meeting of the board.

(b) If the applicant is approved, no part of the fee shall be returned, and he or she shall be issued a license to practice chiropractic in accordance with the provisions of this chapter.

(c) If the applicant is not approved, he or she shall be notified of the reasons for the disapproval.

~~CODE AMENDMENT. Arkansas Code § 17-81-304, concerning applications for licensing to practice chiropractic, is amended to read as follows:~~

~~17-81-304. Application - Fees.~~

~~(a)(1)(A) Applications for license to practice chiropractic in the State of Arkansas shall be made to the Executive Director of the Arkansas State Board of Chiropractic Examiners in writing on forms furnished by the board.~~

~~(B) The application shall be signed by the applicant in his or her own handwriting and acknowledged before an officer authorized to administer oaths.~~

~~(2) The applicant must submit proof satisfactory to the board of graduation from a chartered school or college of chiropractic as herein described and file with his or her application the affidavits of at least two (2) licensed and reputable doctors of chiropractic showing him or her to be of good moral character.~~

~~(3) The application shall be accompanied by the payment of one hundred fifty dollars (\$150), and fifty dollars (\$50.00) for an orientation fee.~~

~~(4) The application shall be filed with the executive director not less than forty-five (45) days before the next regular meeting of the board.~~

~~(b) If the applicant is approved, no part of the fee shall be returned, and he or she shall be issued a license to practice chiropractic in accordance with the provisions of this chapter.~~

~~(c) If the applicant is not approved, he or she shall be notified of the reasons for the disapproval.~~

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0265 Chiropractic Examiners, AR State Board of

ACT#: 200

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CODE AMENDMENT. Arkansas Code § 17-81-305, concerning qualifications of applicants for licensing to practice chiropractic, is amended to read as follows:

17-81-305. Qualifications of applicants.

(a) To qualify for licensure, an applicant shall:

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

(2) Have successfully completed not less than a minimum of sixty (60) semester credit hours of college education, to include a minimum of thirty (30) semester credit hours in the field of science;

(3) Not have had a license to practice chiropractic in any other state suspended or revoked nor have been placed on probation for any cause;

(4) Possess a valid "doctor of chiropractic" degree from a chiropractic institution whose requirements include a course of instruction of not fewer than four (4) years of nine (9) academic months each or not fewer than four thousand four hundred (4,400) fifty-minute resident class hours and include one hundred twenty (120) classroom hours of physiological therapeutics;

(5) Possess a valid National Board of Chiropractic Examiners certificate, to include Parts I, II, III, and IV and the physiological therapeutics section;

(6) Be of good moral character;

(7) Not have been convicted of a felony;

(8) Not be an habitual user of intoxicants, drugs, or hallucinatory preparations;

~~CODE AMENDMENT. Arkansas Code § 17-81-305, concerning qualifications of applicants for licensing to practice chiropractic, is amended to read as follows:~~

~~17-81-305. Qualifications of applicants.~~

~~(a) To qualify for licensure, an applicant shall:~~

~~(1) Be at least twenty-one (21) years of age;~~

~~(2) Have successfully completed not less than a minimum of sixty (60) semester credit hours of college education, to include a minimum of thirty (30) semester credit hours in the field of science;~~

~~(3) Not have had a license to practice chiropractic in any other state suspended or revoked nor have been placed on probation for any cause;~~

~~(4) Possess a valid "doctor of chiropractic" degree from a chiropractic institution whose requirements include a course of instruction of not fewer than four (4) years of nine (9) academic months each or not fewer than four thousand four hundred (4,400) fifty-minute resident class hours and include one hundred twenty (120) classroom hours of physiological therapeutics;~~

~~(5) Possess a valid National Board of Chiropractic Examiners certificate, to include Parts I, II, III, and IV and the physiological therapeutics section;~~

~~(6) Be of good moral character;~~

~~(7) Not have been convicted of a felony;~~

~~(8) Not be an habitual user of intoxicants, drugs, or hallucinatory preparations;~~

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

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ACT#: 200

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(9) Pay the application fee as provided in § 17-81-304; and
(10) Cause a certified chiropractic college transcript or National Board of Chiropractic Examiners transcript to be submitted directly from the respective institutions.

(b) An applicant graduated, as of July 19, 1971, from a school or college of chiropractic, the requirements and course of instruction of which were equal and comparable to other recognized schools or colleges of chiropractic at the time of his or her attendance, may be acceptable.

(c) For students enrolled in any approved chiropractic school or college which may not, at the passage date of this act, meet the requirements as set forth in subdivision (a)(4) of this section, the Arkansas State Board of Chiropractic Examiners may waive the requirement in individual cases at its discretion.

~~————— (9) Pay the application fee as provided in § 17-81-304; and
————— (10) Cause a certified chiropractic college transcript or National Board of Chiropractic Examiners transcript to be submitted directly from the respective institutions.~~

~~————— (b) An applicant graduated, as of July 19, 1971, from a school or college of chiropractic, the requirements and course of instruction of which were equal and comparable to other recognized schools or colleges of chiropractic at the time of his or her attendance, may be acceptable.~~

~~————— (c) For students enrolled in any approved chiropractic school or college which may not, at the passage date of this act, meet the requirements as set forth in subdivision (a)(4) of this section, the Arkansas State Board of Chiropractic Examiners may waive the requirement in individual cases at its discretion.~~

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0268 Dental Examiners, State Board of

ACT#: 73

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS STATE DENTAL EXAMINERS BOARD EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the Agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will be reviewed and approved by the Arkansas Legislative Council or Joint Budget Committee.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0268 Dental Examiners, State Board of

ACT#: 73

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2016~~
2017 through June 30, ~~2017~~ 2018.

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0233 Embalmers & Funeral Directors, State Board of

ACT#: 69

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PERSONAL SERVICES. The Burial Association Board Executive Secretary and the Burial Association Board Administrative Specialist III shall also be responsible for the administrative activities of the State Board of Embalmers and Funeral Directors. The State Board of Embalmers and Funeral Directors shall pay to the Burial Association Board an amount equal to one-half (1/2) of the salary of the Burial Association Board Executive Secretary, up to one-half (1/2) of the salary of the Burial Association Board Administrative Specialist III, and the appropriate matching. This sum shall be paid during the first quarter of each fiscal year via fund transfer.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~LEGAL FEES. It is the intent of the General Assembly for the State Medical Board to pay the legal fees as appropriated in Section 4 herein from fund balances from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Medical Board, so that there will be no effect on the FY2015-16 or future fiscal year budgets. The Arkansas State Medical Board shall pay all legal fees as determined by a court of competent jurisdiction in Edwards v. Beck, 8 F. Supp.3d 1091 (E.D. Ark., Mar. 14, 2014) and all related cases and appeals challenging the Arkansas Human Heartbeat Protection Act, § 20-16-1301 et seq., derived from Acts 2013, No. 301. The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017-2018.~~

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EDUCATIONAL PROGRAMS. The State Medical Board is hereby authorized to expend from monies authorized herein, \$25 from each licensed physician licensed by the State Medical Board each year to be paid by the State Medical Board to 501(c)(3) Arkansas foundations that have healthcare professionals on their board and provide for identification, treatment and monitoring of healthcare professionals who suffer from alcohol or drug abuse problems, in order to promote the public health and safety and to insure the continued availability of skilled and highly trained medical professionals for the benefit of the public.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS STATE MEDICAL BOARD EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will receive prior review by the Arkansas Legislative Council or Joint Budget Committee.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0280 Optometry, State Board of

ACT#: 39

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS STATE BOARD OF OPTOMETRY EMPLOYMENT OF ATTORNEYS.
None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will receive prior review by the Arkansas Legislative Council or Joint Budget Committee.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0280 Optometry, State Board of

ACT#: 39

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0283 Pharmacy, Arkansas State Board of

ACT#: 122

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER BY WARRANT. If, during the ~~2016-2017~~ 2017-2018 fiscal year, the need arises for additional funding for student loans and additional funds become available, the Director of the State Board of Pharmacy may request the Chief Fiscal Officer of the State to cause a transfer by warrant up to fifty thousand dollars (\$50,000) from the balance of cash funds deposited in the State Treasury for the State Board of Pharmacy to the cash fund as defined by the Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences, there to be used for the sole purpose of providing student loans to pharmacy students.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0292 Speech-Language Pathology & Audiology

ACT#: 132

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INVESTIGATOR. The Board of Examiners in Speech-Language Pathology and Audiology shall contract with an outside investigator, as needed, to perform investigations and conduct inspections of alleged wrongdoing. The duties of the investigator hired shall include, but not be limited to, investigation and inspection of all complaints as determined by the Board, to determine whether or not any persons have

- (1) Practiced their profession in such a way as to endanger the general health and welfare of the public; or
- (2) Otherwise violated the practice act or rules and regulations of the Speech-Language Pathology and Audiology Board.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0258 Towing and Recovery Board, Arkansas

ACT#: 205

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

OFFICE LOCATION. The Arkansas Towing and Recovery Board shall maintain an office location in Little Rock staffed with one or more employees of the State of Arkansas who are authorized and deputized to perform and execute any and all administrative services or responsibilities of the Arkansas Towing and Recovery Board and shall maintain the regular business office hours of the government of the State of Arkansas.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST