

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

128

By: Senator Bookout

For An Act To Be Entitled

"AN ACT TO AMEND ARK. CODE ANN. §17-93-410(d) SETTING FORTH PUNISHMENTS THAT MAY RENDERED BY THE ARKANSAS STATE MEDICAL BOARD; AND FOR OTHER PURPOSES."

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

SECTION 1. Ark. Code Ann. §17-93-410(d) is amended to read as follows:

"(d) At the conclusion of the hearing, the Board shall first decide whether the accused is guilty of the charges against him, and then decide on appropriate disciplinary action. If the accused is found not guilty, the Board shall dismiss the charges. If the accused is found guilty, the board may do one or more of the following:

- (1) Revoke or suspend his license,
- (2) Issue a reprimand,
- (3) Impose a probation allowing the licensee to continue practicing under terms and conditions found to be in the best interest of the accused and the general public,
- (4) Fine the accused up to \$1,000 for each offense for which he was found guilty.

If the Board suspends the license, it may issue a temporary license for whatever duration it decides and renew this temporary at this discretion."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that existing laws regulating the practice of medicine do not provide for the imposition of a fine if one is found guilty of violating the practice act; that a provision broadening the punitive powers of the Arkansas State Medical board is necessary to insure the proper enforcement of the provisions governing the practice of medicine in the State of Arkansas; that there is an emergency need for such a provision and that an enactment of the measure will remedy this situation. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.