

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Vess

A Bill

HOUSE BILL 1930

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 17-80-103
PROVIDING IMMUNITY FOR THOSE ACTING UNDER AUTHORITY OF THE
BOARDS OF THE HEALING ARTS; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED
§ 17-80-103 PROVIDING IMMUNITY FOR THOSE
ACTING UNDER AUTHORITY OF THE BOARDS OF
THE HEALING ARTS."

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

SECTION 1. Arkansas Code § 17-80-103 is amended to read as follows:

"§ 17-80-103. Immunity of board members.

No member of a board or any individual acting on behalf of the board of any profession or occupation classified under the laws of the State of Arkansas as a profession of the healing arts shall be liable in damages to any person for slander, libel, defamation of character, breach of any privileged communication, or otherwise for any action taken or recommendation made within the scope of the functions of the board if the board member or the individual acting on behalf of the board acts without malice and in the reasonable belief that the action or recommendation is warranted by the facts known to him after a reasonable effort is made to obtain the facts on which the action is taken or recommendation is made."

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.

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that it is necessary for the administration of the boards of healing arts that individuals acting on behalf of the boards should be granted immunity from suit and judgment; and that, therefore, immediate effect should be given to this measure and an emergency is hereby declared to exist. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

