

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

# A Bill

HOUSE BILL 2049

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 17-93-202 TO DEFINE THE  
9 PRACTICE OF MEDICINE; TO AMEND ARKANSAS CODE 17-94-102 TO  
10 DEFINE THE SCOPE OF PRACTICE UNDER THE SUPERVISION AND  
11 DIRECTION OF A LICENSED PHYSICIAN; AND FOR OTHER  
12 PURPOSES."

## Subtitle

15 "TO AMEND ARKANSAS CODE 17-93-202 TO  
16 DEFINE THE PRACTICE OF MEDICINE; TO  
17 AMEND ARKANSAS CODE 17-94-102 TO DEFINE  
18 THE SCOPE OF PRACTICE UNDER THE  
19 SUPERVISION AND DIRECTION OF A LICENSED  
20 PHYSICIAN."

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

24 SECTION 1. Arkansas Code 17-93-202(2) is amended to read as follows:

25 "(2) Practice of medicine means:

26 (A) Holding out one's self to the public within this state as  
27 being able to diagnose, treat, prescribe for, palliate, or prevent any human  
28 disease, ailment, injury, deformity, or physical or mental condition, whether  
29 by the use of drugs, surgery, manipulation, electricity, or any physical,  
30 mechanical, or other means whatsoever including but not limited to massage,  
31 application of hot packs and cold packs, ultra sound diathermy, traction,  
32 extremity whirlpool, paraffin baths and limited exercises;

33 (B) Suggesting, recommending, prescribing, or administering any  
34 form of treatment, operation, or healing for the intended palliation, relief,  
35 or cure of any physical or mental disease, ailment, injury, condition, or

1 defect of any person with the intention of receiving, either directly or  
2 indirectly, any fee, gift, or compensation whatsoever;

3           (C) The maintenance of an office or other place to meet persons  
4 for the purpose of examining or treating persons afflicted with disease,  
5 injury, or defect of body or mind;

6           (D) Using the title M.D., M.B., Physician, Surgeon, or  
7 any word or abbreviation to indicate or induce others to believe that one is  
8 engaged in the diagnosis or treatment of persons afflicted with disease,  
9 injury, or defect of body or mind, except as otherwise expressly permitted by  
10 the laws of this state relating to the practice of any limited field of the  
11 healing arts; or

12           (E) Performing any kind of surgical operation upon a human  
13 being."

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15       SECTION 2. Arkansas Code 17-94-102(4) is amended to read as follows:

16       "(4) Under the supervision and under the direction of a licensed  
17 physician means the performance of medical acts and procedures by a  
18 physician's trained assistant which have been specifically authorized and  
19 directed by a physician and may be performed by the physician's trained  
20 assistant outside the presence of the physician but under conditions where  
21 the physician can be reached immediately by the physician's trained assistant  
22 by communication facilities; such acts and procedures include but are not  
23 limited to massage, application of hot packs and cold packs, ultra sound  
24 diathermy, traction, extremity whirlpool, paraffin baths and limited  
25 exercises;"

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27       SECTION 3. All provisions of this act of a general and permanent  
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
29 Code Revision Commission shall incorporate the same in the Code.

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31       SECTION 4. If any provision of this act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 act are declared to be severable.

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SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

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