

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

*As Engrossed: S2/22/01*

## A Bill

HOUSE BILL 1176

By: Representative Ferguson

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 17-95-203 TO EXEMPT A PERSON PRACTICING MEDICINE AS AN EMPLOYEE OF THE FEDERAL BUREAU OF PRISONS FROM LICENSURE UNDER THE ARKANSAS MEDICAL PRACTICES ACT; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT TO EXEMPT A PERSON PRACTICING MEDICINE AS AN EMPLOYEE OF THE FEDERAL BUREAU OF PRISONS FROM LICENSURE UNDER THE ARKANSAS MEDICAL PRACTICES ACT.

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

SECTION 1. Arkansas Code 17-95-203 is amended to read as follows:  
17-95-203. Exemptions.

Nothing herein shall be construed to prohibit or to require a license with respect to any of the following acts:

- (1) The gratuitous rendering of services in case of emergency;
- (2) The rendering of services in this state by a physician lawfully practicing medicine in another state or territory, provided that if any such physician does not limit such services to an occasional case or if he has any established or regularly used hospital connections in this state or if he maintains or is provided with for his regular use any office or other place for the rendering of those services, then he must possess a license to practice medicine in this state;
- (3) The practice of the following professions, as defined by the

1 laws of this state, which subchapters 2-4 of this chapter are not intended to  
2 limit, restrict, enlarge, or alter the privileges and practice of, as provided  
3 by the laws of this state:

4 (A) Dentistry;

5 (B) Podiatry;

6 (C) Optometry;

7 (D) Chiropractic;

8 (E) Osteopathy. However, an osteopath shall not be  
9 permitted to prescribe medicine except as provided by statute or to perform  
10 major or operative surgery unless licensed to practice medicine in Arkansas;  
11 or

12 (F) Cosmetology;

13 (4) The practice of Christian Science, with or without  
14 compensation;

15 (5) The performance by commissioned medical officers of the armed  
16 forces of the United States or of the United States Public Health Service or  
17 of the United States Department of Veterans Affairs of their lawful duties in  
18 this state as officers;

19 (6) The rendering of nursing services by registered or other  
20 nurses in the lawful discharge of their duties as such;

21 (7) The rendering of services by students, interns, or residents  
22 in a licensed and approved hospital having an internship or residency training  
23 program approved by the American Medical Association or the State Board of  
24 Health or the United States Government;

25 (8) As defined and limited by the laws of this state, the  
26 performance of the duties of a:

27 (A) Physical therapist; or

28 (B) Massage therapist;

29 (9) The domestic administration of family remedies; ~~or~~

30 (10) The practice of lay midwifery as defined in chapter 85 of  
31 this title; or

32 (11)(A) The practice of medicine within the scope of a  
33 physician's duties as an employee of the Federal Bureau of Prisons, if the  
34 physician has obtained a license to practice from Arkansas or any other state,  
35 territory, the District of Columbia, or Canada.

36 (B) A physician authorized to practice under subdivision

(11)(A) of this section may provide medical treatment or services only to inmates and shall not provide medical treatment or services to other employees of the Federal Bureau of Prisons or any other person.

/s/ Ferguson