

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

HOUSE BILL 2300

By: Representative Shelby

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE § 17-95-303 TO
AUTHORIZE AND REQUIRE THE ARKANSAS STATE MEDICAL
BOARD TO PROMULGATE RULES PERTAINING TO THE ROLE
OF PHYSICIANS IN COLLABORATIVE AGREEMENTS; AND
FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE AND REQUIRE THE ARKANSAS
STATE MEDICAL BOARD TO PROMULGATE RULES
PERTAINING TO THE ROLE OF PHYSICIANS IN
COLLABORATIVE AGREEMENTS.

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

SECTION 1. Arkansas Code § 17-95-303 is amended to read as follows:
17-95-303. Powers and duties.

The Arkansas State Medical Board shall:

(1) Make and adopt all rules, ~~regulations~~, and bylaws not
inconsistent with the laws of this state or of the United States and
necessary or convenient to perform the duties and to transact the business
required by law;

(2) Have authority to promulgate and put into effect ~~such rules~~
~~and regulations as are~~ rules necessary to carry out the purposes of the
Arkansas Medical Practices Act, §§ 17-95-201 et seq., 17-95-301 et seq., and
17-95-401 et seq., and the intentions expressed therein;

(3)(A)(i) Have authority to employ attorneys to represent the
board in all legal matters at a compensation approved by the board.



(ii) Contracts for employment of attorneys shall be filed by the Executive Secretary of the Arkansas State Medical Board with the Legislative Council.

(B) The board ~~shall further have authority to~~ may request the assistance of the Attorney General and the prosecuting attorneys of Arkansas ~~in such manner as it~~ as the board deems necessary and proper;

(4) Have the authority to employ an executive secretary to carry out the purposes and the mandates of the board and to supervise the other employees of the board;

(5) Have the authority to employ a medical director, who shall hold a valid license to practice medicine in this state, to evaluate medical issues and to assist in investigations pending before the board;

(6) Have the ~~power and~~ authority to employ ~~such~~ secretarial and administrative assistance ~~as may be~~ necessary to carry out the provisions of the Arkansas Medical Practices Act, §§ 17-95-201 et seq., 17-95-301 et seq., and 17-95-401 et seq., and the duties of the board to protect the people of the State of Arkansas;

(7) Have the ~~power and~~ authority to employ one (1) or more inspectors as ~~may be~~ necessary to carry out the provisions of the Arkansas Medical Practices Act, §§ 17-95-201 et seq., 17-95-301 et seq., and 17-95-401 et seq., and the duties of the board to protect the people of the State of Arkansas;

(8) ~~Examine, as is provided for by law,~~ all applicants for a license to practice medicine in this state; ~~and~~

(9) Consider and give deference to data, studies, consensus documents, and conclusions issued by the Centers for Disease Control and ~~Disease~~ Prevention or the National Institutes of Health whenever their data, studies, consensus documents, and conclusions are relevant to any decision made pursuant to the board's powers and duties under the Arkansas Medical Practices Act, §§ 17-95-201 et seq., 17-95-301 et seq., and 17-95-401 et seq.; and

(10) Have the authority and duty to promulgate and put into effect rules to regulate and review physician supervision of medical personnel and the role and function of physicians in collaborative practice agreements.