1	State of Arkansas	A Bill		
2	86th General Assembly	A DIII	HOUGE DILL	2657
3 4	Regular Session, 2007		HOUSE BILL	2657
5	By: Representative D. John	nson		
6	by. Representative D. John	15011		
7				
8		For An Act To Be Entitled		
9	AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED			
10	TO STU	JDENTS OF HEALTH CARE PROFESSIONAL PROGR	AMS	
11	WHO RENDER VOLUNTARY HEALTH CARE SERVICES AT FREE			
12	OR LOW	V-COST HEALTH CARE CLINICS UNDER THE		
13	SUPERV	VISION OF LICENSED PERSONNEL; AND FOR OT	HER	
14	PURPOS	GES.		
15				
16		Subtitle		
17	TO	CLARIFY THAT CIVIL IMMUNITY IS		
18	EXT	TENDED TO STUDENTS OF HEALTH CARE		
19	PRO	DFESSIONAL PROGRAMS WHO RENDER		
20	VOI	UNTARY HEALTH CARE SERVICES AT FREE		
21	OR	LOW COST HEALTH CARE CLINICS UNDER		
22	THE	E SUPERVISION OF LICENSED PERSONNEL.		
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24				
25	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKANS	BAS:	
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27	SECTION 1. Ar	kansas Code § 16-6-201 is amended to rea	ad as follows:	
28	16-6-201. Ind	igent care - Regulations.		
29	(a) As used i	n this section, "health care professiona	al" means a pe	rson
30	who:			
31	<u>(1) Is</u>	licensed or certified in under subtitle	<u>3</u>	
32	of Title 17,; or			
33	<u>(2) Is</u>	a student or resident of a health care p	profession pro	gram
34	leading to a professional degree, a license, or certification under Subtitle			
35	<u>3</u>			
36	of Title 17, who is:			

1 (A) Providing services within the scope of the training of 2 that that student or resident; and 3 (B) Under the supervision of a person who is licensed in 4 the health care profession for which the student is seeking a degree, a 5 license, or a certification. 6 (a)(b) Physicians and health Health care professionals who are 7 licensed under the laws of the State of Arkansas, and who render medical 8 health care services voluntarily and without compensation to any person at 9 any free or low-cost medical health care clinic located in the State of 10 Arkansas and registered by the State Board of Health, which that accepts no 11 insurance payments and provides medical health care services free of charge 12 to persons unable to pay or provides medical health care services for a nominal fee, shall not be liable for any civil damages for any act or 13 14 omission resulting from the rendering of such medical the health care 15 services, unless such the act or omission was the result of such licensee's 16 the health care professional's gross negligence or willful misconduct. 17 (b)(1)(c)(1) The State Board of Health is empowered to adopt such regulations as it may determine may promulgate rules necessary to provide for 18 19 the registration of free or low-cost medical health care clinics under this 20 section. 21 (2) The regulations shall require that each person to whom 22 medical health care services are provided: 23 (A) Has been fully informed before any treatment by the 24 physician health care professional providing the services or by the staff of 25 the medical the health care clinic of the immunity from civil suit provisions 26 of this section; and 27 (B) Has acknowledged that fact in writing on a form 28 approved or designated by the Department of Health Division of Health of the 29 Department of Health and Human Services . 30 (e)(d) The State Board of Health and its members, and the Department of Health division and its agents and employees, are exempt and immune from 31 32 liability for any claims or damages when performing their duties pursuant to 33 under this section. 34 The provisions of this section supersede the exception for 35 licensed medical professionals under the Arkansas Volunteer Immunity Act, § 36 16-6-105.