

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.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

SENATE BILL 239

4  
5 By: Senator Bledsoe

## For An Act To Be Entitled

9 AN ACT TO AUTHORIZE PHYSICIANS TO DELEGATE THE  
10 PERFORMANCE OF SOME SIMPLE PROCEDURES TO  
11 EMPLOYEES; AND FOR OTHER PURPOSES.

## Subtitle

14 AN ACT TO AUTHORIZE PHYSICIANS TO  
15 DELEGATE THE PERFORMANCE OF SOME SIMPLE  
16 PROCEDURES TO EMPLOYEES.

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

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21 SECTION 1. Arkansas Code Title 17, Chapter 95, Subchapter 2 is amended  
22 to add an additional section to read as follows:

23 17-95-208. General authority of physician to delegate.

24 (a)(1) A physician may delegate to a qualified and properly trained  
25 employee under the physician's supervision the performance of tasks that do  
26 not require substantial specialized judgment and skill based on knowledge and  
27 applications of principles of biological, physical, and social sciences, as  
28 determined by the Arkansas State Medical Board, if in the opinion of the  
29 delegating physician, the task:

30 (A) Can be properly and safely performed by the employee  
31 to whom the task is delegated;

32 (B) Is performed in its customary manner; and

33 (C) Is performed within the physical boundaries of the  
34 delegating physician's offices.

35 (2) The employee to whom the delegation of the task is made  
36 shall not be represented to the public as a licensed physician, licensed



1 nurse, licensed physician's assistant, or other licensed healthcare provider.

2 (b) The delegating physician remains responsible for the acts of the  
3 employee performing the delegated task.

4 (c) This section does not authorize the Arkansas State Medical Board  
5 to permit nor shall it repeal other acts that deal with specific tasks of  
6 licensed health care providers.

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