

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1985

5 By: Representative Biviano  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE A PHYSICIAN ASSISTANT COMMITTEE  
9 WITHIN THE ARKANSAS STATE MEDICAL BOARD; TO PROVIDE  
10 FOR PROCEDURES FOR REVIEWING THE WORK OF PHYSICIAN  
11 ASSISTANTS; AND FOR OTHER PURPOSES.  
12  
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## Subtitle

15 AN ACT TO CREATE A PHYSICIAN ASSISTANT  
16 COMMITTEE WITHIN THE ARKANSAS STATE  
17 MEDICAL BOARD.  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 17, Chapter 95 is amended to add an  
23 additional subchapter to read as follows:

### Subchapter 8 – Physician Assistant Committee

#### 17-95-801. Physician Assistant Committee – Members.

27 (a)(1) The Physician Assistant Committee is created with the Arkansas  
28 State Medical Board,

29 (2)(A) The committee shall consist of five (5) members as  
30 follows:

31 (i) One (1) member who shall be a member of the  
32 Arkansas State Medical Board;

33 (ii) One (1) physician member appointed by the board;  
34 and

35 – (iii) Three (3) physician assistants members  
36 selected by the board from a list of physician assistants nominated by the



1 Arkansas Academy of Physician Assistants.

2 (B) One (1) of the appointees under subdivision  
3 (a)(2)(A)(i) and (ii) of this section shall be a supervisor of a physician  
4 assistant.

5 (b)(1) The committee members shall serve three-year terms.

6 (2) A committee members shall not serve more than two (2)  
7 consecutive terms.

8 (3) A committee members shall serve until a successor is  
9 appointed.

10 (4)(A) If a vacancy occurs on the committee, the vacancy shall  
11 be filled for the unexpired term by a person with the same qualifications as  
12 the departing member.

13 (B) If a vacancy under subdivision (b)(4) of this  
14 section is not filled within forty-five (45) days, the Governor shall fill  
15 the vacancy by appointing a person with the same qualifications as the  
16 departing committee member.

17 (c)(1) The committee shall elect a chair with powers and duties the  
18 committee shall fix.

19 (2) The chair serve a two-year term.

20 (3) A chair may be elected for no more than two (2) consecutive  
21 terms.

22 (d)(1) A quorum of the committee shall be three (3) members.

23 (2) The committee shall hold a meeting at least quarterly and at  
24 other times the committee considers advisable to review requests for  
25 prescription and dispensing privileges and to review applications for  
26 licensure or renewal under this subchapter.

27 (e)(1) The committee members shall serve without remuneration.

28 (2) However, if funds are available, the committee members may  
29 receive expense reimbursement and stipends in accordance with § 25-16-902, as  
30 follows:

31 (A) Their actual expenses while attending regular and  
32 special meetings of the committee; and

33 (B) A per diem allowance when in attendance at regular or  
34 special meetings of the committee.

35  
36 17-95-802. Duties of Physician Assistant Committee.

1       The Physician Assistant Committee shall:

2               (1) Review all applications for physician assistants' licensure  
3 and for renewal of physician assistants' licensure;

4               (2) Review applications of physician assistants for dispensing  
5 privileges under § 17 105-105, et seq.;

6               (3) Recommend to the Arkansas State Medical Board approval or  
7 disapproval of applications submitted under subdivisions (1) or (2) of this  
8 section;

9               (4) Recommend criteria to be used in granting dispensing  
10 privileges to physician assistants under § 17 105-105, et seq.;

11               (5) Recommend the formulary for prescriptive privileges that may  
12 include all or parts of Schedules II, III, IV, and V controlled substances  
13 and the procedures that physician assistants and supervising physicians shall  
14 follow in exercising the prescriptive privileges; and

15               (6)(A) Recommend the approval, disapproval, or modification of  
16 the application for prescriptive privileges for a physician assistant.

17               (B) An application for Schedule II controlled substances  
18 prescriptive privileges shall be submitted to the board by the physician  
19 assistant's supervising physician and shall be accompanied by the practice  
20 description of the physician assistant.

21               (C) The Schedule II controlled substances prescriptive  
22 privileges of a physician assistant shall be limited by the practice  
23 description approved by the board and may be restricted further by the  
24 supervising physician or supervising physician.

25               (D) The supervising physician shall notify the physician  
26 assistant and the board of any additional restrictions imposed by the  
27 supervising physician, and the practice description on file with the board  
28 shall be amended to reflect the additional restrictions imposed.

29               (E) To be eligible for Schedule II controlled substances  
30 prescriptive privileges, a physician assistant shall be certified by the  
31 National Commission on Certification of Physician Assistants and shall  
32 complete all required continuing medical education coursework.