

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 57

5 By: Senator Irvin
6 By: Representative L. Johnson
7

For An Act To Be Entitled

9 AN ACT TO MODIFY THE FEES CHARGED BY THE ARKANSAS
10 STATE MEDICAL BOARD; TO AUTHORIZE THE ARKANSAS STATE
11 MEDICAL BOARD TO REDUCE FEES IF THE FEE REDUCTION IS
12 IN THE BEST INTEREST OF THE STATE; AND FOR OTHER
13 PURPOSES.
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Subtitle

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17 TO MODIFY THE FEES CHARGED BY THE
18 ARKANSAS STATE MEDICAL BOARD; AND TO
19 AUTHORIZE THE ARKANSAS STATE MEDICAL
20 BOARD TO REDUCE FEES IF THE FEE REDUCTION
21 IS IN THE BEST INTEREST OF THE STATE.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 4-29-309, concerning the certificate of
27 registration for a medical corporation, is amended to add an additional
28 subsection to read as follows:

29 (h)(1) The board shall not increase or set assessed fees exceeding the
30 amounts in this section without approval of the Governor and either the
31 Legislative Council or, if the General Assembly is in session, the Joint
32 Budget Committee.

33 (2) If the board determines in its discretion that a reduction
34 is in the best interest of the state, the board may reduce fees below the
35 amounts in this section through the administrative rule process and by the
36 approval of the Governor and either the Legislative Council or, if the



1 General Assembly is in session, the Joint Budget Committee.

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3 SECTION 2. Arkansas Code § 17-91-101(b), concerning the licensing
4 requirements of osteopathic physicians, is amended to read as follows:

5 (b)(1) Applicants for such a licensure shall pay the fees required by
6 the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq.,
7 and § 17-95-401 et seq.

8 (2) The board shall not increase or set assessed fees exceeding
9 the amounts in this section without approval of the Governor and either the
10 Legislative Council or, if the General Assembly is in session, the Joint
11 Budget Committee.

12 (3) If the board determines in its discretion that a reduction
13 is in the best interest of the state, the board may reduce fees below the
14 amounts in this section through the administrative rule process and by the
15 approval of the Governor and either the Legislative Council or, if the
16 General Assembly is in session, the Joint Budget Committee.

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18 SECTION 3. Arkansas Code § 17-95-107(d)(7)(E), concerning
19 credentialing organizations, is amended to read as follows:

20 (E)(i) The board may assess each physician licensee an
21 amount not to exceed one hundred dollars (\$100) per year to offset the cost
22 of providing the credentialing service.

23 (ii) The board shall not increase or set assessed
24 fees exceeding the amounts in this chapter without approval of the Governor
25 and either the Legislative Council or, if the General Assembly is in session,
26 the Joint Budget Committee.

27 (iii) If the board determines in its discretion that
28 a reduction is in the best interest of the state, the board may reduce fees
29 below the amounts in this chapter through the administrative rule process and
30 by the approval of the Governor and either the Legislative Council or, if the
31 General Assembly is in session, the Joint Budget Committee.

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33 SECTION 4. Arkansas Code § 17-95-408(c), concerning annual
34 registration fees of a physician, is amended to read as follows:

35 (c)(1) Any delinquent licentiate may be reinstated by paying all
36 delinquent fees and a penalty of fifty dollars (\$50.00) for each year or part

1 thereof that he or she has been delinquent.

2 (2) The Arkansas State Medical Board shall not increase or set
 3 assessed fees exceeding the amounts in this section without approval of the
 4 Governor and either the Legislative Council or, if the General Assembly is in
 5 session, the Joint Budget Committee.

6 (3) If the Arkansas State Medical Board determines in its
 7 discretion that a reduction is in the best interest of the state, the
 8 Arkansas State Medical Board may reduce fees below the amounts in this
 9 section through the administrative rule process and by the approval of the
 10 Governor and either the Legislative Council or, if the General Assembly is in
 11 session, the Joint Budget Committee.

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 13 SECTION 5. Arkansas Code § 17-95-411 is amended to read as follows:
 14 17-95-411. Fees.

15 (a) The Arkansas State Medical Board shall charge the following fees:

16 (1)(A) For application for license by examination or by
 17 credentials, four hundred dollars (\$400).

18 (B) If it is determined by the board that the credentials
 19 of the applicant are insufficient or the applicant withdraws his or her
 20 application before taking the examination, the board may return such portion
 21 of the fee as allowed by the rules of the board;

22 (2) For a temporary license or permit, fifty dollars (\$50.00)
 23 for each six-month period;

24 (3) For certification of licentiate to another state, fifteen
 25 dollars (\$15.00); and

26 (4)(A)(i) For annual license or reregistration fee, seventy
 27 dollars (\$70.00).

28 (ii) Except as provided in subdivision (a)(4)(C) of
 29 this section, an annual license or reregistration fee is to be imposed upon
 30 each physician who holds a license to practice medicine in the State of
 31 Arkansas.

32 (B) The annual license or reregistration fee may be
 33 changed by the board provided that the amount shall be fixed by the board not
 34 less than sixty (60) days in advance of January 1 of each year.

35 (C) The board shall waive the annual license or
 36 reregistration fee of a physician who:

1 (i) Holds a license to practice medicine in the
2 State of Arkansas; and

3 (ii) Is an active-duty member of the military.

4 (b)(1) The board shall not increase or set assessed fees exceeding the
5 amounts in this section without approval of the Governor and either the
6 Legislative Council or, if the General Assembly is in session, the Joint
7 Budget Committee.

8 (2) If the board determines in its discretion that a reduction
9 is in the best interest of the state, the board may reduce fees below the
10 amounts in this section through the administrative rule process and by the
11 approval of the Governor and either the Legislative Council or, if the
12 General Assembly is in session, the Joint Budget Committee.

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14 SECTION 6. Arkansas Code § 17-99-302(e), concerning the fees
15 associated with registration as a respiratory care practitioner, is amended
16 to read as follows:

17 (e)(1) A fee not to exceed the prevailing rate set by the National
18 Board for Respiratory Care, Inc., or its successor organization must
19 accompany the application.

20 (2) The Arkansas State Medical Board shall not increase or set
21 assessed fees exceeding the amounts in this section without approval of the
22 Governor and either the Legislative Council or, if the General Assembly is in
23 session, the Joint Budget Committee.

24 (3) If the Arkansas State Medical Board determines in its
25 discretion that a reduction is in the best interest of the state, the
26 Arkansas State Medical Board may reduce fees below the amounts in this
27 section through the administrative rule process and by the approval of the
28 Governor and either the Legislative Council or, if the General Assembly is in
29 session, the Joint Budget Committee.

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31 SECTION 7. Arkansas Code § 17-99-306, concerning annual registration
32 of respiratory care practitioners, is amended to add an additional subsection
33 to read as follows:

34 (c)(1) The board shall not increase or set assessed fees exceeding the
35 amounts in this section without approval of the Governor and either the
36 Legislative Council or, if the General Assembly is in session, the Joint

1 Budget Committee.

2 (2) If the board determines in its discretion that a reduction
3 is in the best interest of the state, the board may reduce fees below the
4 amounts in this section through the administrative rule process and by the
5 approval of the Governor and either the Legislative Council or, if the
6 General Assembly is in session, the Joint Budget Committee.

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8 SECTION 8. Arkansas Code § 17-105-117, concerning rulemaking authority
9 of the Arkansas State Medical Board regarding physician assistant licensure,
10 is amended to add an additional subsection to read as follows:

11 (d)(1) The board shall not increase or set assessed fees exceeding the
12 amounts in this section without approval of the Governor and either the
13 Legislative Council or, if the General Assembly is in session, the Joint
14 Budget Committee.

15 (2) If the board determines in its discretion that a reduction
16 is in the best interest of the state, the board may reduce fees below the
17 amounts in this section through the administrative rule process and by the
18 approval of the Governor and either the Legislative Council or, if the
19 General Assembly is in session, the Joint Budget Committee.

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