

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 170

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO CREATE AN EXEMPTION FOR LICENSURE FOR HEALTHCARE PROFESSIONALS OFFERING FREE HEALTHCARE SERVICES THROUGH A PROGRAM IN PARTNERSHIP WITH THE FEDERAL INNOVATIVE READINESS TRAINING; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE AN EXEMPTION FOR LICENSURE FOR HEALTHCARE PROFESSIONALS OFFERING FREE HEALTHCARE SERVICES THROUGH A PROGRAM IN PARTNERSHIP WITH THE FEDERAL INNOVATIVE READINESS TRAINING.

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

SECTION 1. DO NOT CODIFY. Legislative findings.

(a) The General Assembly finds that:

(1) The Delta Regional Authority operates a program in partnership with the federal Innovative Readiness Training within the United States Department of Defense;

(2) This program offers free medical, dental, optical, and veterinary care to the medically underserved and communities with high poverty rates in the forty-two (42) counties that are served by the Delta Regional Authority;

(3) The program provides free medical, dental, optical, and veterinary care periodically at local venues in the Delta region;

(4) The healthcare professionals who participate in the program



are military medical staff who are licensed in their respective fields;

(5) Often, these healthcare professionals licensed in their respective fields are not licensed to practice within the State of Arkansas; and

(6) In order to participate in the program, the healthcare professionals must obtain temporary licensure from their respective boards in Arkansas, which can cause delays and barriers to offering free medical, dental, optical, and veterinary care under the program.

(b) It is the intent of the General Assembly to standardize and streamline the licensing process to authorize healthcare professionals licensed in other states, commonwealths, territories, or the District of Columbia to practice while offering free medical, dental, optical, and veterinary care through a program in partnership with the federal Innovative Readiness Training.

SECTION 2. Arkansas Code § 17-81-302 is amended to read as follows:
17-81-302. Exempted activities.

~~Nothing herein shall be construed to~~ This chapter does not prohibit or ~~to~~ require a license ~~hereunder~~ with respect to any of the following acts:

(1) The performance of services in case of an emergency;

(2)(A) The performance of services in this state on an occasional basis, limited to ninety (90) days in each calendar year, by a chiropractor lawfully practicing chiropractic in another state or territory.

(B) However, if ~~any such a~~ a chiropractor performs services on a regular basis, or for his or her regular use maintains or is provided with any office or other place to meet persons for the performance of ~~such~~ services in the State of Arkansas, he or she shall obtain a license to practice chiropractic in the State of Arkansas; ~~or~~

(3) The practice of medicine and surgery, osteopathy, dentistry, podiatry, optometry, Christian Science, physical therapy, cosmetology, therapy technology, or any other branch of the healing arts as defined by the laws of this state as now or hereafter enacted, it not being intended by this chapter to limit, restrict, enlarge, or alter the privileges and practices of any of these professions or branches of the healing arts; or

(4) The practice of chiropractic through a program in partnership with the federal Innovative Readiness Training if the

chiropractor has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 3. Arkansas Code § 17-82-302, concerning exemptions to licensure under the Arkansas Dental Practice Act, is amended to add an additional subdivision to read as follows:

(7) The practice of dentistry or dental hygiene through a program in partnership with the federal Innovative Readiness Training if the dentist or dental hygienist has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 4. Arkansas Code § 17-87-103, concerning exceptions to licensure related to nursing, is amended to add an additional subdivision to read as follows:

(13) The practice of nursing through a program in partnership with the federal Innovative Readiness Training if the nurse has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 5. Arkansas Code § 17-90-102 is amended to read as follows:
17-90-102. Exemptions.

~~Nothing in this chapter, except as expressly provided otherwise, shall apply~~ This chapter does not:

(1) Apply to physicians and surgeons nor to persons who sell eyeglasses, spectacles, lenses, contact lenses, frames, mountings, or prisms at wholesale on individual prescriptions to optometrists, physicians, and surgeons, ~~nor shall it prohibit;~~

(2) Prohibit the sale of ready-made eyeglasses and spectacles when sold as merchandise at any established place of business where no attempt is made to practice optometry; or

(3) Apply to the practice of optometry through a program in partnership with the federal Innovative Readiness Training if the optometrist has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 6. Arkansas Code § 17-93-301(c), concerning the licensure of

physical therapists and the exceptions to licensure within the Arkansas Physical Therapy Act, is amended to add an additional subdivision to read as follows:

(9) A physical therapist providing services through a program in partnership with the federal Innovative Readiness Training if the physical therapist has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 7. Arkansas Code § 17-95-203, concerning exemptions to licensure under the Arkansas Medical Practices Act, is amended to add an additional subdivision to read as follows:

(12) The practice of medicine through a program a program in partnership with the federal Innovative Readiness Training if the physician has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 8. Arkansas Code § 17-97-103 is amended to read as follows:
17-97-103. Exceptions generally.

(a) ~~Nothing in this chapter prevents~~ This chapter does not prohibit:

(1) The teaching of psychology or the conduct of psychological research by licensed or unlicensed psychologists or other licensed or unlicensed professionals under the laws of Arkansas if the teaching or research does not involve the delivery or supervision of direct services to individuals who are themselves, rather than a third party, the intended beneficiaries of the services without regard to the source or extent of payment for services rendered;

(2) The provision of expert testimony by psychologists who are exempted by this chapter;

(3) Members of other professions licensed under the laws of Arkansas from rendering services within the scope of practice as set out in the statutes regulating their professional practices, if they do not represent themselves to be psychologists or psychological examiners;

(4) Recognized members of the clergy from functioning in their ministerial capacities, if they do not represent themselves to be psychologists or psychological examiners or their services to be psychological services; ~~or~~

(5) Students of psychology, psychological interns, psychological residents, and other persons preparing for the profession of psychology from performing as a part of their training the functions specified in § 17-97-102, but only under qualified supervision; or

(6) The practice of psychology through a program in partnership with the federal Innovative Readiness Training if the psychologist or psychological examiner has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

(b) ~~Persons~~ A person holding an earned doctoral degree in psychology from an institution of higher education may use the title "Psychologist" in conjunction with the activities permitted in subdivisions (a)(1) and (2) of this section.

SECTION 9. Arkansas Code § 17-101-307(b), concerning exemptions to licensure under the Arkansas Veterinary Medical Practice Act, is amended to add an additional subdivision to read as follows:

(11) The practice of veterinary medicine through a program in partnership with the federal Innovative Readiness Training if the veterinarian or veterinary technician has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

SECTION 10. Arkansas Code § 17-105-106 is amended to read as follows:
17-105-106. Exemption from licensure.

~~Nothing in this chapter shall be construed to~~ This chapter does not require licensure of:

(1) A physician assistant student enrolled in a physician assistant or surgeon assistant educational program accredited by the Committee on Allied Health Education and Accreditation or by its successor agency;

(2) A physician assistant employed in the service of the federal government while performing duties incident to that employment;

(3) Technicians, other assistants, or employees of physicians who perform delegated tasks in the office of a physician but who are not rendering services as a physician assistant or identifying themselves as a physician assistant;

(4) A physician assistant in the service of the State Military

Department or the Arkansas National Guard, or both. These physician assistants shall be allowed to perform their physician assistant practice duties, including prescribing, in the same manner as they would if federalized by the United States Government; ~~or~~

(5) A physician assistant who is temporarily transiting through the State of Arkansas while caring for a patient, provided that he or she remains under the supervision of his or her supervising physician; or

(6) A physician assistant providing services through a program in partnership with the federal Innovative Readiness Training if the physician assistant has obtained a license to practice from another state, commonwealth, territory, or the District of Columbia.

APPROVED: 02/21/2017