

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1180

By: Representative Gonzales

## For An Act To Be Entitled

AN ACT TO SPECIFY A PROCESS OF REVIEW OF RULES  
REGARDING SCOPE OF PRACTICE OF HEALTHCARE  
PROFESSIONALS; AND FOR OTHER PURPOSES.

## Subtitle

TO SPECIFY A PROCESS OF REVIEW OF RULES  
REGARDING SCOPE OF PRACTICE OF HEALTHCARE  
PROFESSIONALS.

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

SECTION 1. Arkansas Code Title 25, Chapter 15, is amended to add an additional subchapter to read as follows:

Subchapter 6 – Rules Regarding Scope of Practice

25-15-601. Definitions.

As used in this subchapter:

(1) "Healthcare profession" means a profession or occupation in which healthcare services are provided;

(2) "Healthcare professional" means an individual who is licensed, certified, or otherwise authorized by the laws of this state to administer health care in the ordinary course of the practice of his or her profession;

(3) "Licensing entity" means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a healthcare profession;



(4) "Rule regarding scope of practice" means a proposed rule as defined by § 25-15-202, or a proposed amendment to an existing rule as defined by § 25-15-202, that would, if adopted:

(A) Require an additional license, certification, or other authorization for a healthcare profession that is not currently licensed, certified, or authorized in this state;

(B) Expand the scope of practice of a healthcare professional; or

(C) Limit the scope of practice of a healthcare professional; and

(5) "Scope of practice" means the procedures, actions, processes, and services that a healthcare professional is authorized to practice in keeping with the terms of his or her license, certification, or other authorization in a particular healthcare profession.

25-15-602. Rules – Additional rule procedure.

(a)(1) In addition to complying with the requirements under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, a licensing entity shall, at least thirty (30) days before the expiration of the period for public comment, file a rule regarding scope of practice with the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor.

(2) The Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor shall review a rule regarding scope of practice within forty-five (45) days of the date the rule regarding scope of practice is filed with the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor.

(b)(1) If adopting an emergency rule regarding scope of practice under § 10-3-309, the licensing entity shall notify the following individuals of the emergency rule regarding scope of practice and provide each individual with a copy of the emergency rule regarding scope of practice within five (5) business days of adopting the emergency rule regarding scope of practice:

(A) The Speaker of the House of Representatives;

(B) The President Pro Tempore of the Senate;

(C) The Chair of the Senate Committee on Public Health,

Welfare, and Labor; and

(D) The Chair of the House Committee on Public Health, Welfare, and Labor.

(2) The Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor shall review the emergency rule regarding scope of practice within forty-five (45) days of the date that the emergency rule regarding scope of practice is provided to the Chair of the Senate Committee on Public Health, Welfare, and Labor and the Chair of the House Committee on Public Health, Welfare, and Labor.

**APPROVED: 4/27/21**