

Stricken language would be deleted from and underlined language would be added to present law.  
Act 79 of the Regular Session

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: S1/30/23  
**A Bill**

SENATE BILL 57

By: Senator Irvin

By: Representative L. Johnson

### For An Act To Be Entitled

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

### Subtitle

TO MODIFY THE FEES CHARGED BY THE ARKANSAS STATE MEDICAL BOARD; AND TO AUTHORIZE THE ARKANSAS STATE MEDICAL BOARD TO REDUCE FEES IF THE FEE REDUCTION IS IN THE BEST INTEREST OF THE STATE.

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

SECTION 1. Arkansas Code § 4-29-309, concerning the certificate of registration for a medical corporation, is amended to add an additional subsection to read as follows:

(h)(1) The board shall not increase or set assessed fees exceeding the amounts in this section.

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



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

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

(2) The board shall not increase or set assessed fees exceeding the amounts in this section.

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

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

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

(ii) The board shall not increase or set assessed fees exceeding the amounts in this section.

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

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

(c)(1) Any delinquent licentiate may be reinstated by paying all delinquent fees and a penalty of fifty dollars (\$50.00) for each year or part thereof that he or she has been delinquent.

(2) The Arkansas State Medical Board shall not increase or set assessed fees exceeding the amounts in this section.

(3) If the Arkansas State Medical Board determines in its discretion that a reduction is in the best interest of the state, the Arkansas State Medical Board may reduce fees below the amounts in this

section through the administrative rule process and by the approval of the Governor and either the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

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

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

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

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

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

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

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

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

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

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

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

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

(b)(1) The board shall not increase or set assessed fees exceeding the amounts in this section.

(2) If the board determines in its discretion that a reduction is in the best interest of the state, the board may reduce fees below the amounts in this section through the administrative rule process and by the

approval of the Governor and either the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

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

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

(2) The Arkansas State Medical Board shall not increase or set assessed fees exceeding the amounts in this section.

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

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

(c)(1) The board shall not increase or set assessed fees exceeding the amounts in this section.

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

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

(d)(1) The board shall not increase or set assessed fees exceeding the amounts in this section.

(2) If the board determines in its discretion that a reduction is in the best interest of the state, the board may reduce fees below the

amounts in this section through the administrative rule process and by the approval of the Governor and either the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

*/s/Irvin*

**APPROVED: 2/17/23**