

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1168

By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO PROVIDE CRIMINAL IMMUNITY FOR HEALTHCARE PROFESSIONALS FOR NEGLIGENT ACTS OR OMISSIONS; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE CRIMINAL IMMUNITY FOR HEALTHCARE PROFESSIONALS FOR NEGLIGENT ACTS OR OMISSIONS.

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

SECTION 1. Arkansas Code Title 5, Chapter 2, is amended to add an additional subchapter to read as follows:

Subchapter 7 – Immunity

5-2-701. Healthcare professional criminal immunity – Definitions.

(a) As used in this section:

(1)(A) “Healthcare facility” means an institution, building, agency, or a portion of an institution, building, or agency that is used, operated, or designed to provide healthcare services, medical treatment, nursing care, rehabilitative care, or preventative care to an individual, regardless of whether the institution, building, or agency is a private organization, a public organization, a nonprofit organization, or a for-profit organization.

(B) “Healthcare facility” includes without limitation:

(i) A hospital;

(ii) A psychiatric hospital;



(iii) A physical rehabilitation hospital;
(iv) A chemical dependency program;
(v) A nursing facility or nursing home;
(vi) A personal care home;
(vii) An intermediate care facility;
(viii) An assisted living facility;
(ix) A family care home;
(x) An outpatient clinic;
(xi) An ambulatory surgical facility;
(xii) An ambulance provider;
(xiii) A hospice;
(xiv) A community mental health center;
(xv) A home health agency;
(xvi) A kidney disease treatment center or freestanding hemodialysis unit; and
(xvii) A facility providing similarly organized healthcare services regardless of nomenclature;

(2) "Healthcare professional" means:

(A) An employee of a healthcare facility; or
(B) A person 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; and

(3) "Healthcare service" means clinically related services provided within this state to a person, including without limitation diagnostic, treatment, or rehabilitative services and alcohol, drug abuse, and mental health services.

(b) A healthcare professional who is providing a healthcare service and is otherwise lawfully acting is immune from criminal liability for any harm or damages to the person receiving the healthcare service alleged to arise from a negligent act or omission related to providing the healthcare service.

(c) This section does not amend, repeal, or alter any other immunity, defense, limitation of liability, or procedure available or required under any other law or contract.