

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

As Engrossed: S1/30/23

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

16 TO MODIFY THE FEES CHARGED BY THE
17 ARKANSAS STATE MEDICAL BOARD; AND TO
18 AUTHORIZE THE ARKANSAS STATE MEDICAL
19 BOARD TO REDUCE FEES IF THE FEE REDUCTION
20 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.

31 (2) If the board determines in its discretion that a reduction
32 is in the best interest of the state, the board may reduce fees below the
33 amounts in this section through the administrative rule process and by the
34 approval of the Governor and either the Legislative Council or, if the
35 General Assembly is in session, the Joint Budget Committee.
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1 SECTION 2. Arkansas Code § 17-91-101(b), concerning the licensing
2 requirements of osteopathic physicians, is amended to read as follows:

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

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

8 (3) 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 3. Arkansas Code § 17-95-107(d)(7)(E), concerning
15 credentialing organizations, is amended to read as follows:

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

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

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

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

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

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

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

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

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5 SECTION 5. Arkansas Code § 17-95-411 is amended to read as follows:
6 17-95-411. Fees.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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/s/Irvin