

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Health

Department Division of Local Public Health

Contact Laura Shue E-mail Laura.Shue@arkansas.gov Phone 501-661-2297

Statutory Authority for Promulgating Rules _____

Rule Title: REPEAL OF Rules and Regulations for Retired Physician Immunity Act

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

09/15/2024

10/15/2024

11/15/2024

04/25/2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Laura Shue

Laura.Shue@arkansas.gov

11/18/2024

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-661-2297

Laura.Shue@arkansas.gov

Phone Number

E-mail Address

General Counsel

Title

November 18, 2023

Date

~~RULES AND REGULATIONS RETIRED PHYSICIAN IMMUNITY ACT / ACT 844 OF 1995~~

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~~PURPOSE~~

~~The purpose of these rules or regulation is to provide for the registration of Free or Low Cost Medical Clinics; and to provide immunity from civil damages to retired physicians and surgeons who are rendering free and voluntary medical services. The Arkansas State Board of Health is responsible for the registration of free or low cost medical clinics pursuant to Act 844 of 1995.~~

~~DEFINITIONS~~

- ~~1. Free or low cost medical clinic (FOLCMC) means a clinic or part of a clinic that provides free or low cost medical care and which accepts no insurance payments for providing medical services and that has been registered with the Arkansas Department of Health as fulfilling these requirements~~
- ~~2. Retired physician and/or surgeon (RPS) means any medical doctor no longer actively practicing medicine for financial reimbursement in a clinic, hospital or primary care setting.~~

~~GENERAL REQUIREMENTS~~

~~It shall be the duty of each FOLCMC to register with the Arkansas Department of Health on the forms approved by the Department. Clinics which can demonstrate through the registration process that they are rendering free or low cost services will be eligible under this program. Only retired physicians and/or surgeons who are still licensed to practice medicine by the Arkansas State Medical Board under the laws of the State of Arkansas and who render medical services voluntarily and without compensation to any person at any FOLCMC shall be eligible.~~

~~REGISTRATION PROCESS~~

~~Any clinic wishing to register as a FOLCMC under this act will be responsible for contacting the Department of health to request an application. An application for registration as a FOLCMC shall be accompanied by but not limited to the following:~~

- ~~1. Specific location of the clinic to include street and city;~~
- ~~2. A statement indicating that the mission of the clinic is to provide free or low cost devices;~~
- ~~3. Verification that the clinic is not receiving insurance payments for services rendered;~~
- ~~4. A list of all physicians currently providing services and their medical specialties;~~
- ~~5. A statement indicating that retired physicians delivering services in the clinic are not receiving any financial or other compensation from the clinic and are acting on a voluntary basis;~~
- ~~6. A copy of the retired physician's medical license; and~~

~~7. A copy of the clinic's policy for notifying patients that the physician rendering voluntary medical services is retired and that he/she is immune from civil suit. This policy must be in language understood by the patient.~~

~~The application must be returned to the Arkansas Department of Health. An application meeting the intent of this legislation will be approved for three years.~~

~~This is to certify that the foregoing Rules and Regulations Pertaining to the Retired Physician-Immunity Act were adopted by the Arkansas State Board of Health at a regular session of said Board in Little Rock, Arkansas on the 26th day of January, 1996.~~

~~/signed/~~

~~Sandra B. Nichols, M.D.~~

~~Secretary of Arkansas State Board of Health Director, Arkansas Department of Health~~

~~The foregoing Rules and Regulations, copy having been filed in my office, are hereby approved on this 15th day of February, 1996.~~

~~/signed/~~

~~Jim Guy Tucker~~

~~Governor State of Arkansas~~