

ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date _____ Code Number 060.00.01--001

Name of Agency ARKANSAS STATE MEDICAL BOARD

Department _____


Contact Person PEGGY CRYER Phone (501) 296-1802

Statutory Authority for Promulgating Rules A.C.A. 17-95-303

	Date
Intended Effective Date	Legal Notice Published <u>3/1/01</u>
<input type="checkbox"/> Emergency	Final Date for Public Comment <u>4/6/01</u>
<input checked="" type="checkbox"/> 10 Days After Filing	Filed With Legislative Council <u>4/23/01</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council <u>6/5/01</u>
_____	Adopted by State Agency <u>4/6/01</u>

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.



Signature

(501) 296-1802

Phone Number

Executive Secretary

Title

June 13, 2001

Date

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

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HOWELL, TRICE, HOPE & FILES, P. A.

ATTORNEYS AT LAW
211 SPRING STREET
LITTLE ROCK, ARKANSAS 72201
(501) 372-4144
Facsimile (501) 372-7480

MAX HOWELL (1915 - 1999)
WILLIAM H. TRICE III
RONALD A. HOPE
JASON D. FILES
KEVIN M. O'DWYER

Bill@HTHFirm.com
Ron@HTHFirm.com
Jason@HTHFirm.com
Kevin@HTHFirm.com

June 26, 2001

060,00.01 - 001

Sharon Priest, Secretary of State
State of Arkansas
State Capitol, Room 01
Little Rock, AR 72201-1094

RE: Arkansas State Medical Board
Regulation 2.8

To Whom It May Concern:

Enclosed is a transmittal sheet that has been executed by the Executive Secretary of the Arkansas State Medical Board, the Regulation 2.8 that was adopted by the Arkansas State Medical Board on April 8, 2001, and Financial Impact Statement. Please file these according to statute.

Respectfully,



William H. Trice, III
Attorney for Arkansas State
Medical Board

WHT/tjs

enclosures

cc: Peggy Cryer w/enclosures

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

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DRAFT

Adopted
by BOARD
8 April 2001

REGULATION 2(8)

REQUIRING MINIMUM STANDARDS FOR ESTABLISHING PHYSICIAN/PATIENT RELATIONSHIPS

A physician exhibits gross negligence if he provides and/or recommends any form of treatment, including prescribing legend drugs, without first establishing a proper physician/patient relationship.

Section A. For purposes of this regulation a proper physician/patient relationship, at a minimum requires that:

1. The physician perform a history and physical examination of the patient adequate to establish a diagnosis and identify underlying conditions and/or contraindications to the treatment recommended/provided, OR personally knows the patient and the patient's general health status through an "ongoing" personal or professional relationship, AND THAT
2. Appropriate follow-up be provided, when necessary, at medically necessary intervals.

Section B. Exceptions

1. Emergency situations where the life or health of the patient is in danger or imminent danger.
2. Treatment provided in consultation with, or upon referral by, another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient's treatment, including follow-up care and the use of any prescribed medications.
3. On-call or cross-coverage situations in which the physician has access to patient records.
4. Simply providing information of a general or generic nature not meant to be specific to an individual patient.

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE

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DEPARTMENT Arkansas State Medical Board
DIVISION _____
PERSON COMPLETING THIS STATEMENT William H. Trice, III, Attorney
TELEPHONE NO. (501) 372-4144 FAX NO. (501) 372-7480

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Regulation 6 governing the licensing and practice of Occupational Therapists

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes _____ No XX

2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

N/A

3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

N/A

	<u>2001-02 Fiscal Year</u>	<u>2002-03 Fiscal Year</u>
General Revenue	_____	_____
Federal Funds	_____	_____
Cash Funds	_____	_____
Special Revenue	_____	_____
Other	_____	_____

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?

N/A

2001-02 Fiscal Year 2002-03 Fiscal Year

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

There is no increased cost above the original enabling statute which placed the Occupational Therapists under the Arkansas State Medical Board. There is no increased cost as a result of this regulation.

2001-02 Fiscal Year 2002-03 Fiscal Year

FILED

JUL 05 2001

SHARON PRIEST
SECRETARY OF STATE