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November 18, 2020

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Mr. John Thurston
Secretary of State
State Capitol – Room 026
Little Rock, AR 72201-1094

**Re: My Client: Arkansas State Medical Board
Rule 45 - Reciprocity**

To Whom It May Concern:

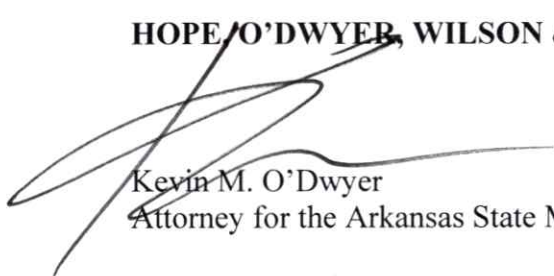
Enclosed please find the following documents:

1. Arkansas Register Transmittal Sheet; and
2. Final to Rule 45.

Please file this accordingly.

Sincerely,

HOPE, O'DWYER, WILSON & ARNOLD, P.A.



Kevin M. O'Dwyer
Attorney for the Arkansas State Medical Board

KMO:ena
enclosure

cc: Ms. Amy Embry, Executive Director (via e-mail Amy.Embry@armedicalboard.org)
Matt Gilmore, Public Health Programs Policy Coordinator (Matt.gilmore@Arkansas.gov)

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State
John Thurston
500 Woodlane, Suite 026
Little Rock, Arkansas 72201-1094
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For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Division of Health Related Board and Commissions/Arkansas State Medical Board

Department Department of Health

Contact Amy Embry, Executive Director E-mail Amy.Embry@armedicalboard.org Phone 501-296-1802

Statutory Authority for Promulgating Rules A.C.A. Section 17-90-204

Rule Title: Rule 45 - Reciprocity

Intended Effective Date (Check One)		Date
<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published	<u>8/24/2020, 9/1/2020, 9/8/2020</u>
<input checked="" type="checkbox"/> 10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	<u>9/8/2020</u>
<input type="checkbox"/> Other _____ <small>(Must be more than 10 days after filing date.)</small>	Reviewed by Legislative Council	<u>11/16/2020</u>
	Adopted by State Agency	<u>9/8/2020</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)
Kevin O'Dwyer kodwyer@htolaw.com 11/18/2020
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.)

Amy E. Embry
Signature
501-296-1892 Amy.Embry@armedicalboard.org
Phone Number E-mail Address
Executive Director
Title
11/23/2020
Date

RULE 45 – RECIPROCITY

Pursuant to Act 1011 of 2019:

A. **Required Qualifications.** An applicant applying for reciprocal licensure shall meet the following requirements:

1. The applicant shall hold a substantially similar license in another United States jurisdiction.
 - a. A license from another state is substantially similar to an Arkansas medical license if the other state's licensure qualifications require:
 - i. The application must meet the educational requirements of Ark. Code Ann. § 17-95-403 or Ark. Code Ann. § 17-105-102;
 - b. The applicant shall hold his or her occupational licensure in good standing;
 - c. The applicant shall not have had a license revoked for:
 - i. An act of bad faith; or
 - ii. A violation of law, rule, or ethics.
 - d. The applicant shall not hold a suspended or probationary license in a United States jurisdiction.
2. The applicant shall be sufficiently competent in the medical field.

B. **Required Documentation.** An applicant shall submit a fully-executed application, the required fee and the documentation described below:

1. As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas', the applicant shall submit the following information:
 - a. Evidence of current and active licensure in the state. The Board may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and
 - b. Evidence that the other state's licensure requirements match those listed in A.1.a.i. The Board may verify this information online or by telephone to the other state's licensing board.
2. To demonstrate that the applicant meets the requirement in A.1.b through d., the applicant shall provide the Board with:
 - a. The names of all states in which the applicant is currently licensed or has been previously licensed;
 - b. Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant has not had his license revoked for the reasons listed in A.1.c. and does not hold a license on suspended or probationary status as described in A.1.d. The Board may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board.
3. As evidence that the applicant is sufficiently competent in the field of medicine, an applicant shall:
 - a. Pass testing requirements as outlined in Ark. Code Ann. § 17-95-403 or Ark. Code Ann. § 17-105-102.
 - b. Submit letters of recommendation as outlined in Ark. Code Ann. § 17-95-403 or Ark. Code Ann. § 17-105-102.