

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~LEGAL FEES. It is the intent of the General Assembly for the State Medical Board to pay the legal fees as appropriated in Section 4 herein from fund balances from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Medical Board, so that there will be no effect on the FY2015-16 or future fiscal year budgets. The Arkansas State Medical Board shall pay all legal fees as determined by a court of competent jurisdiction in Edwards v. Beck, 8 F. Supp.3d 1091 (E.D. Ark., Mar. 14, 2014) and all related cases and appeals challenging the Arkansas Human Heartbeat Protection Act, § 20-16-1301 et seq., derived from Acts 2013, No. 301. The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017-2018.~~

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EDUCATIONAL PROGRAMS. The State Medical Board is hereby authorized to expend from monies authorized herein, \$25 from each licensed physician licensed by the State Medical Board each year to be paid by the State Medical Board to 501(c)(3) Arkansas foundations that have healthcare professionals on their board and provide for identification, treatment and monitoring of healthcare professionals who suffer from alcohol or drug abuse problems, in order to promote the public health and safety and to insure the continued availability of skilled and highly trained medical professionals for the benefit of the public.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0274 Medical Board, Arkansas State

ACT#: 225

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS STATE MEDICAL BOARD EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will receive prior review by the Arkansas Legislative Council or Joint Budget Committee.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

AGENCY REQUEST

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SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.