

RULES AND REGULATIONS PERTAINING TO THE VOLUNTEER LICENSED HEALTH CARE PROFESSIONALS IMMUNITY ACT

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I. PURPOSE.

The purpose of these rules or regulations is to provide for the registration of Free or Low Cost Medical Clinics; and to provide immunity from civil damages to physicians and licensed health care professionals who are rendering free and voluntary professional health care services. The Arkansas State Board of Health is responsible for the registration of free or low-cost medical clinics pursuant to Act 276 of 1997.

II. 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. Volunteer physicians and health care professionals (VPHCP) means any licensed medical doctor, chiropractic physician, dentist, optometric physician, podiatrist, and any licensed health care professional providing voluntary service without financial reimbursement in a clinic, hospital or primary care setting registered with the Arkansas Department of Health as an FOLCMC.

III. GENERAL REQUIREMENTS.

It shall be the duty of each FOLCMC to register with the Arkansas Department of Health on forms approved by the Department. Clinics that can demonstrate through the registration process that they are rendering free or low-cost services will be eligible under this program. Only physicians and licensed health care professionals who are licensed under the laws of the State of Arkansas and who render professional health care services voluntarily and without compensation to any person at any FOLCMC shall be eligible.

IV. REGISTRATION PROCESS.

Any clinic wishing to register as a FOLCMC under this act, will be responsible for completing an application with the Arkansas Department of Health. An application for registration as an FOLCMC shall include but not be limited to the following:

1. Specific location of the clinic to include street address and city;
2. A statement indicating that the mission of the clinic is to provide free or low cost services;
3. Verification that the clinic is not receiving insurance payments for services rendered;

4. A list of all physicians and their medical specialties and health care professionals currently providing volunteer services in the clinic;
5. A statement indicating that physicians and health care professionals 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 statement on file that all professional health care providers providing services in the clinic have a current professional license; and
7. A copy of the clinic's policy for notifying patients that the physician/health care professional is rendering voluntary medical services 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 the Act will be approved for a period not to exceed three years.

CERTIFICATION

This is to certify that the foregoing Rules and Regulations Pertaining to the Volunteer Licensed Health Care Professionals Immunity Act were adopted by the Arkansas State Board of Health at a regular session of said Board in Little Rock, Arkansas on the 3rd day of February 2000.

Fay W. Boozman, III, 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 2nd day of March 2000.

Mike Huckabee,
Governor State of Arkansas