

**ARKANSAS STATE BOARD OF NURSING RULES**

**CHAPTER TEN  
ALTERNATIVE TO DISCIPLINE**

**SECTION I**  
**QUALIFICATIONS FOR ADMISSION**

In order to be eligible for admission to the ATD program the individual shall:

- A. Hold an Arkansas nursing license, or certificate or be eligible for licensure or certification;
- B. Otherwise be eligible for continued licensure or certification under the Arkansas *Nurse Practice Act*;
- C. Acknowledge a drug or alcohol abuse problem or addiction; and
- D. Voluntarily request participation in the ATD program.
- E. A participant may transfer from another state's alternative program if it is substantively similar and approved by the ATD program director.

HISTORY: Adopted: January 1, 2018  
Amended: July 1, 2020; June 15, 2024

**SECTION II**  
**DENIAL TO PROGRAM**

Individuals will be denied participation in the ATD program if they:

- A. Do not meet the qualifications listed in Section I;
- B. Diverted controlled substances for reasons other than self-administration;
- C. Engaged in behaviors resulting in patient harm;
- D. Have prior discipline by any board of nursing for substance abuse or diversion; or
- E. Demonstrated unsuccessful participation resulting in termination from the Arkansas ATD program or similar program offered in another jurisdiction.

HISTORY: Adopted: January 1, 2018  
Amended: June 15, 2024

**SECTION III**  
**REQUIREMENTS FOR PARTICIPATION**

The participant shall:

- A. Agree to immediately place licensure or certification on inactive status;
- B. Complete an in-depth psychological and addictive evaluation by a Board approved evaluator;
- C. Agree to complete all treatment recommendations, if any, of the evaluator;
- D. Admit, in writing, to violation of the Arkansas *Nurse Practice Act*;
- E. Enter into an ATD program contract;
- F. Execute any release necessary to give the ATD program director access to records, including but not limited to medical, employment and criminal records; and
- G. Agree to not practice without written authorization from the ATD program director.

HISTORY: Adopted: January 1, 2018  
Amended: June 15, 2024

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### SECTION IV STANDARDS FOR APPROVED EVALUATORS AND TREATMENT PROVIDERS

- A. Board approved evaluators shall meet the following standards:
  - 1. Be a physician, psychiatrist, psychologist, or mental health certified Advanced Practice Registered Nurse who is engaged in the treatment of substance use disorder, including alcohol;
  - 2. Demonstrate the ability to perform an examination to include a detailed history with the appropriate testing i.e. drug screens and other psychological testing as indicated;
  - 3. Cooperate and communicate with the ATD program director; and
  - 4. Submit evaluation reports according to Board approved criteria.
- B. Board approved treatment providers shall meet the following standards:
  - 1. Provide outpatient and/or inpatient treatment;
  - 2. Cooperate and communicate with the ATD program director;
  - 3. Submit individualized written plan of care to include, but not limited to, assessment, diagnosis, treatment goals, discharge criteria, and recommendations for continuing recovery; and
  - 4. Meet all regulatory requirements in their respective state.

HISTORY: Adopted: January 1, 2018

### SECTION V DISCHARGE FROM PROGRAM

- A. A participant shall be discharged from the ATD program upon:
  - 1. Successful completion of all terms and conditions of the ATD program contract; or
  - 2. Demonstration of noncompliance with the terms and conditions of the contract.
- B. If discharged from the ATD program for noncompliance, the participant shall immediately surrender their licensure or certification, accept a consent agreement, or be scheduled for a Board hearing.
- C. Participation in the ATD program does not preclude the Board from commencing any disciplinary action against a participant who is discharged from the ATD program or receives additional complaints.
- D. A participant may transfer to another state's alternative program if it is substantively similar and approved by the Arkansas ATD program director.
- E. If the participant voluntarily withdraws from the program, he/she shall immediately surrender his/her license or certification.

HISTORY: Adopted: January 1, 2018  
Amended: June 15, 2024

### SECTION VI REPORTING TO THE BOARD

The ATD program director shall make the following information available to the board:

- A. Names and results of any contact or investigation regarding an impaired individual who is believed to be a danger to the public;
- B. Names of participants who:
  - 1. Fail to comply with the terms and conditions of the contract;
  - 2. Refuse to cooperate with the ATD program director; or
  - 3. Voluntarily withdraw or involuntarily discharge from the program;
- C. An annual evaluation of the program; and
- D. Other information and data as requested by the Board.

HISTORY: Adopted: January 1, 2018  
Amended: June 15, 2024