

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS



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COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENT TO AMEND AND ADOPT RULES

TO ALL INTERESTED PARTIES:

Notice is hereby given by the Composite State Board of Medical Examiners ("Board") that it intends to amend Chapter 360-2, entitled "Licensing Requirements" by amending paragraph (3) of Rule 360-2-.05, entitled "Renewal. Amended.," Chapter 360-15, entitled "Continuing Education," by amending paragraph (3) of Rule 360-15-.02, entitled "Compliance," and Chapter 360-6, entitled "Acupuncture," by amending paragraph (3) of Rule 360-6-.11, entitled "License Renewal." Exact copies of the proposed rules as amended are attached to this Notice.

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Composite State Board of Medical Examiners, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303.

Any interested person who will be affected by these rules may present his or her written comments to the Board no later than June 21, 2004 or may make comments at the public hearing. Comments may be directed to Angel Crossley, Composite State Board of Medical Examiners, 2 Peachtree Street, NW, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at acrossley@dch.state.ga.us.

A public hearing is scheduled to be held at 9:00 a.m. on July 2, 2004 at the Board Room for the Composite State Board of Medical Examiners, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303, to provide the public an opportunity to comment upon and provide input into the proposed rule.

The Board voted to adopt this Notice of Intent on November 7, 2003 and the proposed rule amendment will be considered for adoption at its meeting on July 2, 2004 after the conclusion of the public hearing, at the Board Room for the Composite State Board of Medical Examiners, 36th Floor, 2 Peachtree Street, NW, Atlanta, Georgia 30303.

The authority for promulgation of these rules is O. C. G. A. § 43-34-24(c) and the specific statutes cited in the proposed rules.

This Notice is adopted and posted in compliance with O.C. G.A. § 50-13-4 of the Georgia Administrative Procedures Act. A synopsis of the proposed rules and an economic impact statement is attached to this Notice.

Date: 5/24/04

Signed: LaSharn Hughes
LaSharn Hughes
Executive Director

**ECONOMIC IMPACT AND SYNOPSIS OF
PROPOSED AMENDMENTS TO THE
GEORGIA COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS' RULES,
CHAPTER 360-2
LICENSING REQUIREMENTS,
CHAPTER 360-6
ACUPUNCTURE,
CHAPTER 360-15
CONTINUING EDUCATION**

ECONOMIC IMPACT: The attached rules are promulgated under the authority of the Articles 1 and 2 of Title 43, Chapter 34 and the Acupuncture Act of Georgia, Article 3, Title 43, Chapter 34. The Composite State Board of Medical Examiners licenses and regulates six professions. The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Articles 1, 2 and 3 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated. Additionally, it is not legal or feasible to meet the objectives of Articles 1,2 and 3 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner.

PURPOSE: The purpose of the proposed amendments is to indicate that the period for late renewals is three (3) months.

The differences between the existing rule and the proposed amendment to the rule are shown below: (The lined-through text is proposed to be deleted and underlined text is proposed to be added.)

**RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

CHAPTER 360-2
LICENSING REQUIREMENTS**

360-2-.05 Renewal. Amended.

360-2-.05 Renewal. Amended.

(3) Licensees have the right to obtain a late renewal of their licenses during the ~~six (6)~~ three (3) month period immediately following the December 31 expiration date. During this period, the penalty for late renewal applies.

Authority: O.C.G.A. 43-1-4, 43-1-7, 43-34-24, 43-34-24.1.

RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

CHAPTER 360-6
ACUPUNCTURE

360-6-.11 License Renewal. Amended.

360-6-.11 License Renewal. Amended.

(3) Licenses not renewed within ~~six (6)~~ three (3) months of expiration shall be administratively revoked for failure to renew and shall be posted to the public and posted on the Board's website.

Authority: O.C.G.A. Secs. 43-1-4, 43-34-24, 43-34-24.1, 43-34-63, 43-34-67.

RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
CHAPTER 360-15
CONTINUING EDUCATION

360-15-.02 Compliance. Amended.

360-15-.02 Compliance. Amended.

(3) If the physician has not complied with the continuing medical education requirement by the expiration of the physician's license, his or her license shall not be renewed and the physician shall not engage in the practice of medicine. A physician may late renew during the ~~six~~ three (3) months following the expiration of her or her license by presenting satisfactory evidence to the Board of completion of the required Board approved continuing medical education hours and paying the late renewal fee. Licenses that are not renewed within ~~6~~ three (3) months of the expiration date of the license shall be revoked for failure to renew. In order to obtain a valid license after revocation for failure to renew, an applicant must apply for reinstatement in accordance with rule 360-2-.07.

Authority: O.C.G.A. Secs. 43-1-4, 43-1-7, 43-34-3, 43-34-24, 43-34-24.1.