

SENATE FILE NO. SF0071

Medical Practice Act amendments.

Sponsored by: Senator(s) Massie and Barrasso and
Representative(s) Harvey, Hastert and Meuli

A BILL

for

1 AN ACT relating to medical practice; providing for
2 licensing of physicians in training; providing for annual
3 renewal of medical licenses; providing for fees to be set
4 by the board of medicine; amending competency evaluation
5 procedures; providing a definition; and providing for an
6 effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 33-26-301(b)(i), (ii) and by creating
11 a new paragraph (v), 33-26-304 by creating new subsections
12 (c) and (d), 33-26-305(a) and (c), 33-26-403(a), (b) and
13 (d) and 33-26-501(a) by creating a new paragraph (xi) are
14 amended to read:

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16 **33-26-301. License required.**

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2 (b) Upon appropriate application, fulfillment of
3 eligibility criteria and successful completion of all other
4 requirements, the board may grant:

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6 (i) A ~~permanent~~ license to practice medicine,
7 subject to annual renewal;

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9 (ii) A temporary license to practice medicine
10 pursuant to W.S. ~~33-26-304~~ 33-26-304(a);

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12 (v) A medical training license pursuant to W.S.
13 33-26-304(c).

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15 **33-26-304. Temporary license to practice medicine;**
16 **medical training license; application; qualifications.**

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18 (c) The board may issue a medical training license
19 for a term that expires at 12:01 a.m. July 1 of each year
20 to a person who:

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22 (i) Has signed a contract with an A.C.G.M.E.
23 accredited residency program located in this state;

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1 (ii) Has graduated from a school of medicine
2 accredited by the L.C.M.E., a school of osteopathy
3 accredited by the A.O.A. or a Canadian accredited school of
4 medicine;

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6 (iii) Has successfully completed steps one (1)
7 and two (2) of the USMLE;

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9 (iv) Has completed an application form provided
10 by the board;

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12 (v) Has paid the appropriate fees pursuant to
13 W.S. 33-26-307;

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15 (vi) Has not had his license suspended, revoked
16 or restricted by or have any disciplinary or clinical
17 privilege action pending before any committee of a health
18 care facility, any other state medical or licensing board,
19 or if his license or privileges were suspended, revoked or
20 restricted or relinquished while under investigation or the
21 threat of an investigation, has had his license or
22 privileges reinstated, is eligible for reinstatement or the
23 imposed license or privilege restrictions have been
24 removed; and

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(vii) Meets any additional requirements that the board may impose by regulation which are necessary to implement this act.

(d) A person who has pled guilty to or has been convicted of a felony or any crime that is a felony under Wyoming law in any state or federal court or in any court of similar jurisdiction in another country may apply for licensure, provided the board may deny licensure based upon the plea or conviction alone.

33-26-305. Annual renewal; expiration; reactivation of lapsed licenses; duplicates.

(a) All licenses other than temporary licenses ~~to practice medicine and medical training licenses~~ shall lapse ~~at 12:01 a.m. July 1 of each year~~ annually on a date or dates to be established by rules adopted by the board. A licensee may renew his license each year by submitting a renewal application containing information required by the board, accompanied by ~~sending his signature, current address, the registration number, practice related information requested by the board, proof of compliance~~

1 ~~with and fulfillment of continuing medical education~~
2 ~~requirements of the board in the manner set forth in the~~
3 ~~board's continuing medical education rules and regulations~~
4 ~~and a~~ renewal fee to the board ~~after April 1 but prior to~~
5 ~~July 1 of each year~~ in an amount set by the board pursuant
6 to W.S. 33-26-307. The licensee additionally shall report
7 any disciplinary action pending or taken by a state
8 examining board, a health care entity or the grievance
9 committee of a medical society during the preceding year.

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11 (c) The board may reactivate a lapsed license if the
12 applicant pays a reactivation fee and fulfills ~~the~~ all
13 requirements for the granting of an initial license.

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15 **33-26-403. Impaired physicians.**

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17 (a) The board may order a licensee to undergo one (1)
18 or more mental, physical ~~competency~~ or medical competency
19 examinations by examiners deemed appropriate by the board
20 if it has reasonable cause to believe that the licensee ~~is~~
21 may be impaired. ~~Any~~ If a disciplinary proceeding is
22 pending against the licensee at the time of the order, the
23 proceeding shall be stayed until the results of the
24 examination have been finalized and submitted to the board.

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2 (b) Every licensee is deemed to have consented to and
3 shall submit to a board ~~requested~~ordered mental, physical,
4 or medical competency examination and to have waived all
5 objections to the production of the report of the
6 examination to the board and the admissibility of the
7 report of the examination in any board proceedings in which
8 the licensee is or may become a respondent. If a licensee
9 fails to submit to an examination when ~~requested~~ordered by
10 the board, the board may initiate a disciplinary proceeding
11 against the licensee or amend a pending complaint to
12 include a claim based upon a violation of this section.

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14 (d) The licensee may submit additional information to
15 the board, including but not limited to medical reports,
16 consultations or laboratory reports obtained through an
17 examination performed by a practitioner designated by the
18 licensee. ~~The licensee may also designate another physician~~
19 ~~to be present at the examination and make an independent~~
20 ~~report to the board.~~

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22 **33-26-501. Definitions.**

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24 (a) As used in this article:

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(xi) "ARC-PA, Inc." means the accreditation review commission on education for physician assistants incorporated.

Section 2. W.S. 33-26-301(b) (iv) and 33-26-403(c) are repealed.

Section 3. This act is effective July 1, 2006.

(END)