

Georgia Composite Medical Board

Executive Director
Robert Jeffery, MBA

Deputy Executive Director
Jennifer Bass, MS



Chairperson
Alice House, MD, FAAFP

Vice Chairperson
John Antalis, MD

2 Peachtree Street, NW • 36th Floor • Atlanta, Georgia 30303 • Tel: 404.656.3913 • www.medicalboard.georgia.gov

NOTICE OF INTENT TO AMEND AND ADOPT RULES

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Medical Board (hereinafter "Board") proposes amendments to the Georgia Composite Medical Board Rules by amending **Rule 360-31-13, "Composition and Responsibilities of the Orthotist and Prosthetist Advisory Committee."** An exact copy of the proposed rule is attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed amendments may be reviewed between 8:00 a.m. and 4:00 p.m., Monday through Friday, except official State holidays, at 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303. These documents can also be reviewed online at <http://medicalboard.georgia.gov/notice-intent-amendadopt-rules>.

A public hearing is scheduled to begin at **8:30 a.m. on June 9, 2016** at 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 rules. At the public hearing, any interested person may present data, make a statement or comment, or offer a viewpoint or argument orally or in writing. Lengthy statements and statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. To ensure their consideration, written comments must be sent to gcmnews@dch.ga.gov or to the Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303, and must be received by May 31, 2016.

The Board voted to adopt this Notice of Intent on **May 5, 2016**. Upon conclusion of the public hearing on **June 9, 2016**, the Board will consider whether the formulation and adoption of these proposed rule amendments imposes excessive regulatory costs on any license or entity, and whether any cost to comply with the proposed rule amendments could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3) (A) (B)(C)(D).

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 are attached to this Notice. The authority for promulgation of these rules is O.C.G.A. § 43-34-5, 43-34-196, 43-34-197, and 43-34-203.

Issued this day, May 9, 2016.

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ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-31

ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Georgia Composite Medical Board licenses and regulates nine professions. The formulation and adoption of these rules do 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 Article 8 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 Article 8 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D).

RULE SYNOPSIS:

Rule 360-31-.13. Composition and Responsibilities of the Orthotist and Prosthetist Advisory Committee.

Purpose/Main Feature: The purpose of this amendment is remove term limits for advisory committee members, allow a member after serving a partial term to serve subsequent terms, and accurately reflect Board “chairperson” as opposed to “president”.

Authority: O.C.G.A. Sec. 43-34-5, 43-34-196, 43-34-197, and 43-34-203.

Rule 360-31-.13. Composition and Responsibilities of the Orthotist and Prosthetist Advisory Committee

(1) The intention and policy of the Board is to reflect the cultural diversity of the citizens of Georgia in the composition of the Orthotist and Prosthetist Advisory Committee ("Advisory Committee"). The Advisory Committee shall be comprised as follows:

(a) At least four (4) appointees, who are licensed orthotists and/or prosthetists and representative of such professions, and such other individuals as the Board, in its discretion, may determine.

~~(b)~~ (b) All appointees to the Advisory Committee shall have on file with the Executive Director of the Board, or his/her designee, a resume and three (3) letters of recommendation, one of which may be from a physician familiar with the appointee's practice of orthotics or prosthetics.

~~(c)~~ (c) In order to preserve continuity on the Advisory Committee, two appointees shall serve a two-year term and two appointees shall serve a one-year term which will be considered a partial term. At the time of the appointment, each appointee will be notified in writing by the Executive Director of the Board as to the beginning and ending dates of his or her respective appointment terms. Each may reapply to the full Board to serve ~~an additional terms but may not serve more than two consecutive two-year terms.~~

~~(d)~~ (d) In the event an Advisory Committee member is replaced during a term, the replacement member will serve the remaining time of that term as a partial term. An Advisory Committee member who serves a partial term ~~will~~, after the completion of the partial term, is eligible to serve ~~two consecutive subsequent~~ two-year terms.

~~(e)~~ (e) Appointees shall serve without compensation from the State of Georgia for their time and expenses.

(2) The Advisory Committee shall advise the Board on matters pertaining to the appointment of the Advisory Committee members and matters within the purview of the Orthotics and Prosthetics Practice Act. The Board, in consultation with the Advisory Committee, shall:

(a) Determine the qualifications and fitness of applicants for licensure and renewal of licensure;

(b) Adopt and revise rules consistent with the laws of the State of Georgia that are necessary to conduct its duties and administer the Act; and

(c) Examine for, approve, issue, deny revoke, suspend and renew the license of applicants and licensees and conduct hearings in connection with all duties to be performed pursuant to the Act;

(3) Advisory Committee members, who are not members of the Board, must be available to meet on ~~as a~~ an as-needed basis and may not miss more than three (3) consecutive meetings of the Advisory Committee, or four (4) meetings in a calendar year, without an excused absence from either the Executive Director of the Board or the Board ~~President~~ Chairperson.

(a) The Advisory ~~committee~~ Committee may recommend to the Board the removal of a member for violation of the attendance rule. Such a recommendation shall be by majority vote of the Advisory Committee.

(b) Upon receipt of such recommendation for removal, the Board may remove a member of the Advisory Committee by a majority vote.

(4) Advisory Committee vacancies may be filled by the Board upon recommendation from the Advisory Committee. All applicants must meet any deadline set by the Board and shall have on file with the Executive Director of the Board, or with his/her designee, a resume and three (3) letters of recommendation, one of which may be from a physician familiar with the applicant's practice of orthotics or prosthetics.

Authority: O.C.G.A. Sections 43-34-5, 43-34-196, 43-34-197, and 43-34-203.