

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
David W. Retterbush, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

## **GEORGIA COMPOSITE MEDICAL BOARD** **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, **Rule 360-33-.01 "Petition for Promulgation, Amendment, or Repeal of Rules."** 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 is forwarded to all persons who have requested, in writing, that they be placed on the interested parties' mailing list. A copy of this notice, an exact copy of the proposed rules and a synopsis of the proposed rules may be reviewed during normal business hours of 8:00a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36<sup>th</sup> Floor, Atlanta, Georgia 30303. These documents will also be available for review on the Board's website at [www.medicalboard.georgia.gov](http://www.medicalboard.georgia.gov).

A public hearing is scheduled to begin at **8:00 a.m. on October 9, 2014** at the 36th Floor Board Room, 2 Peachtree Street, N.W., 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 who will be affected by these rules may present his or her comments to the Board no later than **October 1, 2014** or make comments at the public hearing. Comments may be directed to Diane Atkinson, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36<sup>th</sup> Floor, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at [mdatkinson@dch.ga.gov](mailto:mdatkinson@dch.ga.gov).

The proposed amendments will be considered for adoption by the Board at its meeting scheduled to begin at **8:00 a.m. on October 9, 2014** at the Board offices on the 36th Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia 30303

The Board voted to adopt this Notice of Intent on **August 7, 2014** meeting. The Board will consider at its meeting on **October 9, 2014 at 8:00 a.m.** the comments from the public hearing 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 at its meeting on **October 9, 2014** the Board will consider

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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. Authority Section O.C.G.A. Sec. 50-13-9

Date: \_\_\_\_\_

8/20/14

Signed: \_\_\_\_\_

*LaSharn Hughes*  
LaSharn Hughes, MBA  
Executive Director  
Georgia Composite Medical Board

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## ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-33 **Petition for Promulgation, Amendment, or Repeal of Rules**

### ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Composite State Board of Medical Examiners licenses and regulates nine 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 Article 2 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 the Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D).

### RULE SYNOPSIS:

#### **Rule 360-33-.01 "Petition for Promulgation, Amendment, or Repeal of Rules."**

**Purpose/Main Feature:** The purpose of this rule is to implement new rules to allow for petitions to promulgate, amend or repeal rules.

**Authority O.C.G.A Sec. 50-13-9**

**Rule 360-33-.01 Petition for Promulgation, Amendment, or Repeal of Rules.**

(1) Form of Petition. Each petition for promulgation, amendment or repeal of rules made pursuant to the Georgia Administration Procedure Act shall be filed with the Georgia Composite Medical Board which had enacted the rule, or would otherwise be charged with enforcing the rule.

The petition shall be in writing, and verified under oath by the petitioner, and shall state:

(a) The name and address of the petitioner;

(b) The full text of the rule requested to be amended or repealed and the changes to be made or the full text of the rule desired to be promulgated;

(c) A statement of the reason such rule should be amended, repealed, or promulgated including a statement of all pertinent existing facts which relate to petitioner's interest in the matter; and

(d) Citations of legal authority, if any, which authorize, support, or require the action requested by petition.

(2) Proceeding on Petition. Upon receipt of the petition, the board shall decide upon the action to be taken. Within thirty days after receipt of the petition, the board either shall deny the petition in writing (stating its reasons for the denial) or shall initiate rule-making or rule-changing proceedings in accordance with code section 50-13-4 (Georgia Administrative Procedure Act).

Authority O.C.G.A. Sec. 50-13-9