

Georgia Composite Medical Board

Executive Director
Daniel R. Dorsey, MBA



Chairperson
Matthew W. Norman, MD

2 MLK Jr. Drive SE • East Tower, 11th Floor • Atlanta, Georgia 30334 • (404) 656-3913 • www.medicalboard.georgia.gov

NOTICE OF INTENT TO AMEND AND/OR 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 360-13-.01 “Requirements for Board Certification.”** 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 MLK Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. These documents can also be reviewed online at <https://medicalboard.georgia.gov/board/notice-intent-amendadopt-rules>.

A public hearing is scheduled to begin at **8:30 a.m. on August 3, 2023, at the GCMB Board Room (2 MLK Jr. Drive, East Tower, 11th Floor, Atlanta, GA 30334)** 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 five minutes per person. Additional comments should be presented in writing. To ensure their consideration, submit all written comments by **August 1, 2023, to Kierra.Battle@dch.ga.gov** or via mail to the Georgia Composite Medical Board Rules Committee at 2 MLK Jr. Drive, East Tower, 11th Floor, Atlanta, GA 30334.

The Board voted to adopt this Notice of Intent on **June 29, 2023**. Upon conclusion of the public hearing on **August 3, 2023**, 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), and (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. Secs. 43-34-5, 43-34-103, and 43-34-108.

Issued this day June 29, 2022.

Daniel R. Dorsey
Executive Director

ECONOMIC IMPACT AND SYNOPSIS FOR
RULE CHAPTER 360-13
Respiratory Care Professionals, Technicians and Therapists

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 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 in O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D).

RULE SYNOPSIS:

Rule 360-13-.01 “Requirements for Board Certification”

Purpose/Main Features: The purpose of the proposed amendment is to direct that an applicant must have a credential from the National Board for Respiratory Care, Inc. (NBRC), which entails the passage of an exam. Also, the change eliminates some extraneous requirements that are not necessitated by the statutory provisions.

Authority: O.C.G.A. §§ 43-34-143, 43-34-144

Rule 360-13-.01 Requirements for Board Certification

- (1) To be eligible for Board certification, an applicant must:
 - (a) provide an affidavit and a secure and verifiable document in accordance with O.C.G.A. 50-36-1(f). An affidavit that the applicant is a United States citizen, a legal permanent resident of the United States, or that he/she is a qualified alien or non-immigrant under the Federal Immigration and Nationality Act. If the applicant is not a U.S. citizen, he/she must submit documentation that will determine his/her qualified alien status. The Board participates in the DHS-USCIS SAVE (Systematic Alien Verification for Entitlements or "SAVE") program for the purpose of verifying citizenship and immigration status information of non-citizens. If the applicant is a qualified alien or non-immigrant under the Federal Immigration and Nationality Act, he/she must provide the alien number issued by the Department of Homeland Security or other federal immigration agency;
- (2) be at least eighteen (18) years of age;
- (3) have submitted a completed application and the fees as required by the Board;
- (4) submit evidence of holding an active Registered Respiratory Therapists (RRT) credential from the National Board for Respiratory Care (NBRC). Or meet one of the following requirements.
 - (a) Submit evidence of an active Certified Respiratory Therapy Technician (CRTT) credential issued by the NBRC prior to July 1, 1999.
 - (b) Submit evidence of an active Certified Respiratory Therapist (CRT) credential issued by the NBRC prior to March 15, 2020. Effective of January 1, 2020, all applicants must submit evidence of receiving a passing score on one of the following examinations given by the National Board of Respiratory Care:
 - (i) Certified Respiratory Therapy Technician (CRTT) offered by the National Board for Respiratory Care (NBRC) prior to July 1, 1999.
 - (ii) Entry level Certified Respiratory Therapy (CRT) offered by the NBRC prior to January 1, 2015.
 - (iii) Therapist Multiple Choice (TMC) offered by the NBRC prior to January 1, 2019; or
 - (iv) TMC and Clinical Simulation Examination (CSE) offered by the NBRC after January 1, 2019;
- ~~(5) have three months of experience working under the supervision of a licensed physician; and~~
- ~~(6) provide an original letter of recommendation on a form provided by the Board, signed by a physician licensed to practice medicine in Georgia, who serves as a local medical director or advisor under whom the applicant will practice; reference forms shall be valid for six months from the date of signature. If the application is not approved during the six-month period, the Board may require a new and more current reference.~~
- ~~(7) In order to qualify as a medical director or advisor under whom the applicant will practice, such person must:
 - ~~(a) hold a current Georgia medical license;~~
 - ~~(b) have experience in and knowledge of respiratory care; and~~
 - ~~(c) be readily available to the applicants in his/her workplace.~~~~
- (5) must not be currently sanctioned under O.C.G.A § 43-34-149.

Authority: O.C.G.A. §§ 43-34-143, 43-34-144, 43-34-145, 43-34-148