

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-.03 "Temporary Permits."** 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-.03 “Temporary Permits”

Purpose/Main Features: The purpose of the proposed amendment is to eliminate the administrative difficulty of issuing these permits because often it is impossible for applicants to provide the requisite documentation contemplated in the statute.

Authority: O.C.G.A. §§ 43-34-143, 43-34-147

Rule 360-13-.03. Temporary Permits

(1) — An applicant who is eligible provided below may submit an application for a temporary permit. A temporary permit may be granted to applicants for a period of twelve months to:

- (a) an applicant for certification under O.C.G.A. § 43-34-148 who provides the Board with written evidence, verified by oath, that the applicant was certified, licensed or practicing respiratory care in another state, or
- (b) an applicant who is a graduate of a respiratory therapy program accredited by the Commission on Accreditation of Allied Health Programs, or the equivalent thereof as accepted by the Board, pending the completion of all other requirements for certification under the Respiratory Care Practices Act.

(2) — Any individual applying for a temporary permit must submit a notarized statement of reference either from a physician in the state where the applicant has been practicing or from the medical director of the academic program from which the applicant has graduated, attesting to the fact that the applicant is qualified to practice respiratory care, or

(3) — must submit a notarized statement of reference from the medical director of the academic program from which the applicant has graduated, or is about to graduate, attesting to the fact that the applicant is qualified to practice respiratory care.

(4) — Applications may be submitted 60 days prior to the applicant's graduation date.

(5) — All persons issued a temporary permit under this chapter shall have until the expiration date of such temporary permit to become fully certified under this chapter.

(6) — Temporary permits issued pursuant to this paragraph may not be renewed.

(7) — The holder of a temporary permit shall cease practicing respiratory care upon expiration of the temporary permit, unless such person has been fully certified by the Board to practice respiratory care.

(8) — To upgrade a temporary permit to a permanent license, please see Rule 360-13-.01 "Requirements for Board Certification."

Authority: O.C.G.A. §§ 43-34-143, 43-34-147.1, 43-34-150.