

GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR
LaSharn Hughes, MBA



BOARD CHAIRPERSON
Charles L. White, DO

2 Peachtree Street, N.W., 36th Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>
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GEORGIA COMPOSITE MEDICAL BOARD **NOTICE OF INTENT TO AMEND AND ADOPT RULES**

TO ALL INTERESTED PARTIES:

Notice is hereby given by the Georgia Composite Medical Board that it intends to amend **Rule Chapter 360-4 "Clinical Perfusionist Licensure."** Exact copies of the proposed amendments are attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed rules are being emailed to all persons who have requested, in writing, that they be placed on the 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., 36th Floor, Atlanta, Georgia 30303.

Any interested person who will be affected by these rules may present his or her comments to the Board no later than **April 25, 2012** or make comments at the public hearing. Comments may be directed to Carol Dorsey, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36th Floor, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at cdorsey@dch.ga.gov.

A public hearing is scheduled to begin at **8:15 a.m.** on **May 3, 2012** 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.

The Board voted to adopt this Notice of Intent on **March 1, 2012** meeting. The Board will consider at its meeting on **May 3, 2012** at **8:30 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 **May 3, 2012**, 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).

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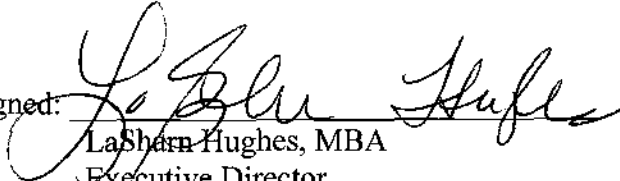
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The authority for promulgation of these rules is O.C.G.A. Sections 43-34-5, 43-34-11, 43-34-172, 43-34-174, and 43-34-180 the specific statutes cited in the proposed rules.

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.

Date: 3/6/12

Signed: 
LaSharn Hughes, MBA
Executive Director
Georgia Composite Medical Board

ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO RULE CHAPTER 360-4

Clinical Perfusionist Licensure

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 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 360-4-.06 "Renewal"

Purpose/Main Feature: The purpose of this rule is to make changes related to renewal requirements related to recent law changes.

Rule 360-4-.07 "Continuing Education Requirements"

Purpose/Main Feature: The purpose of this rule is to change the continuing education requirements to align them with national standards.

Rule 360-4-.09 "Composition and Responsibilities of the Clinical Perfusionist Advisory Committee."

Purpose/Main Feature: The purpose of this rule is to update the requirements for the Clinical Perfusionist Advisory Committee.

Rule 360-4-.10 Temporary Licenses

Purpose/Main Feature: The purpose of this rule is to set the requirements for temporary license.

Authority O.C.G.A. Sections 43-34-5, 43-34-11, 43-34-172, 43-34-174, and 43-34-180

RULES
OF
GEORGIA COMPOSITE MEDICAL BOARD

CHAPTER 360-4

CLINICAL PERFUSIONIST LICENSURE

360-4-.06 Renewal.

(1) All active licenses must be renewed on a biennial basis. Clinical Perfusionist licenses will expire on the last day of the month in which the applicant's licensee's birthday renewal falls. In order to renew the license, the licensee must have completed the Board-approved continuing education requirements provided in Rule 360-4-.07, must submit proof of current certification by the American Board of Cardiovascular Perfusion (ABCP), and pay the required renewal fee. The licensee must establish satisfaction of Board-approved continuing education requirements to be eligible for renewal pursuant to Rule 360-4-.07.

(2) Approximately 60 days prior to the expiration date, the Board may as a courtesy, mail a notice for license renewal to the last address on file in the Board's records to every person holding a current license. Failure to receive such notification shall not relieve the licensee of the obligation to renew and pay the required fee prior to the expiration date of the license. Deposit of the renewal fee with the Board does not indicate acceptance of the renewal application or that any licensing renewal requirements have been fulfilled.

(3) ~~To be eligible for renewal, licensees must answer questions on their renewal form which establish satisfaction of Board-approved continuing education requirements or for waiver or variance pursuant to Rule 360-4-.07.~~ Failure to meet the requirements for renewal continuing education requirements is a basis for nonrenewal.

(4) A license that is not renewed by the expiration date may be late renewed for a period of three (3) months following the expiration date. In order to late renew, the licensee must submit an application, pay the late renewal fee established by the Board and show completion of the required continuing professional education. ~~Failure to renew a license by the expiration date shall result in a penalty for late renewal as required by the Board.~~ Licenses that have been expired for not more than two years may be renewed by submitting a renewal application, establishing compliance with the continuing professional education requirements prescribed by the Board, and paying the renewal fee and the penalty fee prescribed by the Board.

(5) ~~Except as provided in paragraph (6) below, Licenses~~ Licenses that are not renewed within ~~two (2) years~~ three (3) months of expiration shall be revoked for failure to renew. In order to obtain a license after revocation for failure to renew, an applicant must reapply for licensure in accordance with rule 360-4-.02.

(6) ~~Notwithstanding the provisions of Rule 360-4-.06(5), the~~ The board may renew ~~reinstate an expired license without reexamination an expired license of a person who was licensed in this state and moved to another state or states if:~~

(a) ~~The person is currently licensed or certified and submits satisfactory evidence to that effect to the Board;~~

(b) ~~The person has submitted verification directly from the other state or states establishing that the person has been in practice in the other state or states for the two years immediately preceding the person's application to renew a license.~~

(c) ~~The person has submitted to the Board a renewal application and satisfactory evidence establishing compliance with the continuing education requirements reinstatement prescribed by the Board;~~

(d) ~~The person has paid the renewal fee and late penalty fee prescribed by the Board.~~

(6) A perfusionist person who holds an expired license shall not engage in the practice of perfusion or represent himself or herself as a licensed clinical perfusionist until such time as the Board has renewed, reinstated or relicensed such person. ~~approved his or her application for renewal or re-application.~~

Authority O.C.G.A. Sections ~~43-34-5, 43-34-11, 43-34-172 and 43-34-174~~

RULES
OF
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GEORGIA COMPOSITE MEDICAL BOARD

CHAPTER 360-4

CLINICAL PERFUSIONIST LICENSURE

360-4-.07 Continuing Education Requirements.

(1) Each license must be renewed biennially by the last day of the month in which the licensee's birthday falls and the licensee must complete at least ~~thirty (30) hours~~ thirty (30) hours per biennium of continuing education in courses, programs or activities approved for continuing education credit by the American Board of Cardiovascular Perfusion.

(a) The Board accepts the following as ~~meeting its requirement for~~ Board approval:

A minimum of ten (10) CEU's must be earned in Category I. The remaining ~~thirty (30)~~ twenty (20) hours can be earned in Category II or Category III

Category I – Accredited Perfusion Meetings and Other Perfusion Related Activity.
Perfusion meetings are those programs and seminars in which a minimum of 75% of the contact hours consists of perfusion related material. Only those meetings approved by the ABCP will qualify for Category I CEUs. Examples include:

- International, national, regional, and state perfusion meetings may be used to satisfy the requirement.
- Publication of perfusion related book chapter or paper in a professional journal, maximum of 5 CEU hours per item, maximum of 7 hours in a two year period.
- Presentation at an international, national, regional or state perfusion meeting maximum of 5 CEU hours per item, maximum of 7 hours in a two year period.
- Participation in the ABCP Knowledge Base Survey one CEU in a two year period.
- Completion of ABCP approved Self Directed Continuing Education (SDCE) material. Self-Directed Continuing Education (SDCE) is education provided to individuals who are not physically 'onsite.' Rather than attending meetings or courses in person, participants may communicate at times of their own choosing by exchanging printed or electronic media, or through technology that allows them to communicate in real time. This activity may be either online or in written format. Participant must take the required post-test and achieve a minimum score of 80% to receive credit.

Category II – Non-Accredited Perfusion Meetings and Other Medical Meetings.

Category II includes international, national, regional, state and local meetings that have not been approved for CEU credit by the ABCP. Examples include:

- International, national, regional, and state, perfusion meetings that have not been accredited by the ABCP.
- Local perfusion meetings (do not require ABCP accreditation).
- Any perfusion meeting NOT EQUALLY ACCESSIBLE to the general CCP community, including manufacturer-specific and company- sponsored educational activities.
- International, national, regional, or local medically-related meetings.
- Advanced Cardiac Life Support (ACLS).
- Hospital Inservices

Category III – Individual Education and Other Self-Study Activities Not Approved for Category I Credit

Credit in Category III is acquired on an hour for hour basis of the time spent in these non-accredited or non-supervised activities. Examples include:

- Reading or viewing medical journals, audiovisual or other educational material.
- Participation in electronic forums.
- Participation in a journal club.
- Participation in degree-oriented, professionally related course work.
- Presentation of perfusion topic at a nonperfusion meeting.
- Clinical or didactic instructor in an accredited school of perfusion.
- Participation in an ABCP survey or examination development meeting.
- Participation in a site visit, workshop or as a site visitor for perfusion program accreditation.
- Membership in a professional perfusion organization at the international, national, or state level.

(2) Each licensee will be required to answer questions on the renewal form that establish compliance with the continuing education requirement. Licensees will not be required to send documentation of compliance with continuing education requirements for renewal, unless requested by the Board pursuant to Rule 360-4-.07(4). False statements regarding satisfaction of continuing education on the renewal form or any other document connected with the practice of perfusion may subject the licensee to disciplinary action by the Board.

(3) Each licensee who must meet the requirements of this chapter must maintain a record of attendance and supporting documents for Board approved continuing education for a period of 5 years from the date of attendance. At a minimum, the following information must be kept:

- (a) name of provider;
- (b) name of program;

(c) hours of continuing education units completed; and

(d) date of completion; or

(e) approval from American Board of Cardiovascular Perfusion (ABCP) or its successor.

(4) The Board will audit a fixed percentage of randomly selected renewal applications to monitor compliance with the continuing education requirements. Any licensee so audited shall be required to furnish documentation of compliance including name of provider, name of program, continuing education hours completed and date of completion. Any licensee so audited that has been found to be out of compliance with the Board's continuing education requirements may be subject to disciplinary action.

(5) If the licensee has not complied with the continuing education requirement by the expiration of the license, his or her license shall not be renewed and the licensee shall not engage in the practice of perfusion. A licensee may late renew as provided in Rule 360-4-.06 by presenting satisfactory evidence to the Board of completion of the continuing education requirements and the late renewal fee. ~~Licensees that are not renewed within two (2) years~~ three months of the expiration date shall be revoked for failure to renew. Unless the provisions of Rule 360-4-06(6) are applicable, an applicant must reapply for licensure in accordance with rule 360-4-02 in order to obtain a license after revocation for failure to renew.

(6) Continuing education hours that are used to satisfy a deficiency may not be used for purposes of renewal of the licensed clinical perfusionist's license for the next biennium.

~~(7) Any licensed clinical perfusionist seeking renewal of his or her license without having fully complied with the Board's continuing education requirements who wishes to seek a waiver or variance of this rule shall file with the Board prior to the expiration and renewal of the license:~~

~~(a) a waiver renewal application and fee and~~

~~(b) a statement that complies with the provisions of O.C.G.A. § 50-13-9.1 setting forth the specific facts and substantial hardship which would justify a variance or waiver, including the alternative standards which the person seeking a waiver or variance agrees to meet and a showing that such alternative standards will afford adequate protection for the public health, safety and welfare; and the reasons why the waiver or variance would serve the purpose of the underlying statute.~~

(7) Any licensed clinical perfusionist seeking renewal of his or her license who has not fully complied with the Board's continuing education requirements and who wishes for the Board to waive this requirement shall:

(a) Submit a written request and documentation to the Board to demonstrate that a waiver should be granted due to hardship, disability or illness; and

(b) Submit such written request to the Board prior to the expiration of the license and in a sufficient time period to receive a determination from the Board as to whether a waiver will be granted.

Authority O.C.G.A. Sections 43-34-5, 43-34-11, 43-34-172 and 43-34-174.

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OF
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CHAPTER 360-4

CLINICAL PERFUSIONIST LICENSURE

360-4-.09 Composition and Responsibilities of the Clinical Perfusionist Advisory Committee.

(1) The composition of the Clinical Perfusionist Advisory Committee ("Advisory Committee") shall be comprised as follows:

(a) Board members of the Composite Medical Board.

(b) At least four (4) appointees, who are licensed clinical perfusionists and representative of the clinical Perfusionist profession, and such other individuals as the Board, in its discretion, may determine.

(c) ~~One individual who is a physician licensed to practice medicine in the State of Georgia who:~~

~~1. Specializes on a board certified in cardiology and/or cardiovascular surgery;~~

~~(2). Shall serve a two year term and may be reappointed for an additional two year term by a majority vote of the Board, but may not serve more than two consecutive terms.~~

(2) Requirements for Perfusion Advisory Members:

2. 1. All appointees to the Advisory Committee with the exception of medical board members 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 clinical perfusion).

3. 2. 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

their respective appointment terms. Each may reapply to the full Board to serve an additional term, but may not serve more than two consecutive two-year terms.

4. 3. 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, be eligible to serve two consecutive two-year terms.

~~5.~~ 4. Appointees shall serve without compensation from the State of Georgia for their time and expenses.

(3) The Advisory Committee shall advise the Board on matters pertaining to the appointment of the Advisory Committee members and on all matters within the purview of the Clinical Perfusionist Licensure 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, deny, revoke, suspend and renew the license of applicants and certificate holders and conduct hearings in connection with all duties to be performed pursuant to the Act;

(4) Advisory Committee members, who are not members of the Board, must be available to meet on as 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 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 a recommendation for removal, the Board may remove a member of the Advisory Committee by a majority vote.

(5) Advisory Committee vacancies may be filled by the Board. ~~upon recommendation from the Advisory Committee. Vacancies can be filled by the Board without recommendation or a quorum.~~ The Advisory Committee may make a recommendation on who shall be appointed to 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 clinical perfusion).

Authority O.C.G.A. Sections 43-34-5, 43-34-170, 43-34-172 and 43-34-180

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CHAPTER 360-4

CLINICAL PERFUSIONIST LICENSURE

360-4.10 Temporary Licenses.

Temporary licenses may be issued to an applicant at the discretion of the Executive Director, with the approval of the Chairman of the Board. Such licenses shall have the effect of a permanent license until the next regular Board meeting, when the temporary license shall become void. The temporary license fee shall be designated in the fee schedule. The temporary license does not apply for applicants for provisional license.

Authority 43-34-173

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