

Georgia Composite Medical Board

Executive Director

Robert Jeffery, MBA

Deputy Executive Director

Karl Reimers



Chairperson

John S. Antalis, MD

Vice Chairperson

E. Daniel DeLoach, MD, FACS

2 Peachtree Street, NW • 36th Floor • Atlanta, Georgia 30303 • (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 360-13-.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 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, 2017** at 1430 John Wesley Gilbert Drive, Augusta, Georgia 30901 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 Briana.Fry-Jones@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 June 1, 2017.

The Board voted to adopt this Notice of Intent on **May 4, 2017**. Upon conclusion of the public hearing on **June 9, 2017**, 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. §§ 43-34-143, 43-34-145, and 43-34-148.

Issued this day, May 8, 2017.

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ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-13

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 Chapter 360-13-.01, "Requirements for Board Certification."

Purpose/Main Feature: The purpose of this proposed amendment is to require that applicants must pass both the Therapist Multiple-Choice Examination and the Clinical Simulation Examination given by the National Board of Respiratory Care

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

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

- (1) ~~The requirements for Board certification are as follows~~ To be eligible for Board Certification, an applicant must:
- (a)(1) ~~All applicants must~~ 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;
- (b)(2) ~~must~~ be at least 18 years of age;
- (c)(3) ~~must~~ have submitted a completed application and the fees as required by the Board;
- (d)(4) must submit evidence of receiving a passing score on ~~the entry level examination~~ both the Therapist Multiple-Choice Examination and the Clinical Simulation Examination given by the National Board of Respiratory Care;
- (e)(5) ~~must~~ have three months of experience working under the supervision of a licensed physician; ~~and~~
- (f)(6) must provide an original letter of recommendation, 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. In order to qualify as a medical director or advisor under whom the applicant will practice, such person must:
- (1.) ~~In order to qualify as a medical director or advisor under whom the applicant will practice, such person must meet the following requirements:~~
- (i)(a) ~~shall~~ hold a current Georgia medical license;
- (ii)(b) ~~must~~ have experience in and knowledge of respiratory care; and
- (iii)(c) ~~designee must~~ be readily available to the applicants in his/her workplace.
- (g)(7) ~~is not otherwise~~ be ineligible for certification under Code Section 43-34-149.

Authority: O.C.G.A. Secs. 43-34-143, 43-34-145, and 43-34-148.