

GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR
LaSharn Hughes, MBA



BOARD CHAIRPERSON
Alice House, MD

2 Peachtree Street, N.W., 36th Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>
E-Mail: 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 360-35-.06 "Consulting Physician."** 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 8:00 a.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. These documents will also be available for review on the Board's website at www.medicalboard.georgia.gov.

A public hearing is scheduled to begin at **8:30 a.m. on December 3, 2015** 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 written comments to the Board no later than **November 20, 2015** or make comments at the public hearing. Comments may be directed to Diane Atkinson, 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 matkinson@dch.ga.gov.

The proposed amendments will be considered for adoption by the Board at its meeting scheduled to begin at **8:30 a.m. on December 3, 2015** 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 **October 1, 2015** meeting. The Board will consider at its meeting on **December 3, 2015 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 **December 3, 2015** the Board will consider

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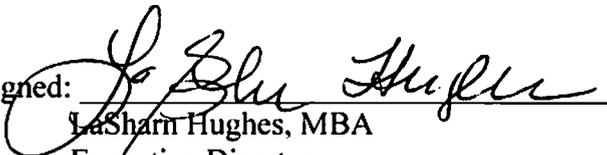
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whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3) (A) (B) (C) (D). This Notice is adopted and posted in compliance with O.C.G.A. § 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. 43-34-5, 43-34-242, 43-34-244, 43-34-248, 43-34-249.1, and 50-13-9.1, 50-36-1.

Date: 10/7/15

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

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ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENT TO CHAPTER 360-35 Lasers

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 360-35-.06 “Consulting Physician”

Purpose/Main Feature: The purpose of this Rule is to define the training qualifications of the consulting physician for cosmetic laser practices.

O.C.G.A Sec. 43-34-5, 43-34-242, and 43-34-248.

**RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS**

**CHAPTER 360-35
LASERS**

360-35-.01	Definitions
360-35-.02	Licensure
360-35-.03	Renewal Requirements
360-35-.04	Continuing Education Requirements and Approved Providers
360-35-.05	Practice
360-35-.06	Consulting Physician
360-35-.07	Facility Requirements
360-35-.08	Informed Consent
360-35-.09	Change of Name or Address
360-35-.10	Prohibited Activities
360-35-.11	Disciplinary Actions
360-35-.12	Permitted Activities
360-35-.13	Composition and Responsibilities of the Advisory Committee

Rule 360-35-.06. Consulting Physician.

(1) In order to qualify as a consulting physician, the physician:

(a) Must be currently licensed to practice medicine in Georgia;

(b) Must have a principal place of business in Georgia or practice outside of Georgia but within 50 miles from a facility with whom the physician will provide supervision;

~~(c) Must be trained in laser modalities; and~~

(c) Must be trained in laser modalities which should include the physics, safety, and surgical techniques involved in the use of lasers and should include the indications for such surgical procedures, the pre- and post-operative care involved in treatment, as well as the treatment of complications associated with laser devices; and

(d) Must be available for emergency consultations.

(2) The consulting physician shall establish proper protocols for the cosmetic laser services provided at a facility and shall file such protocols with the Board.

Authority : O.C.G.A. Sections 43-34-5, 43-34-242, and 43-34-248.