

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
Richard Weil, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

## 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 post new **Rule 360-2-.15 “Administrative Licenses”** and **Rule 360-2-.16 “Educational Training Certificate.”** Exact copies of the proposed rules 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., 36<sup>th</sup> 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 **September 20, 2013** or make comments at the public hearing. Comments may be directed to Diane Atkinson, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36<sup>th</sup> Floor, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at [matkinson@dch.ga.gov](mailto:matkinson@dch.ga.gov).

A public hearing is scheduled to begin at **8:30 a.m.** on **October 10, 2013** 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 **August 9, 2013** meeting. The Board will consider at its meeting on **October 10, 2013** 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 **October 10, 2013**, 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).

ECONOMIC IMPACT AND SYNOPSIS FOR  
AMENDMENTS TO CHAPTER 360-2  
**Licensing Requirements**

**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 360-2-.15 Administrative Licenses**

**Purpose/Main Feature:** The purpose of this rule is to implement House Bill 317 which allows for physicians in non-clinical practice to obtain an administrative license to practice.

O.C.G.A. Secs. 43-34-5, 43-34-36, 43-34-29.

**Rule 360-2-.16 Educational Training Certificate**

**Purpose/Main Feature:** The purpose of this rule is to implement House Bill 317 which allows for an education certificate for hands on medical education training.

O.C.G.A. Secs. 43-34-5 and 43-34-29.2

### **Rule 360-2-.15 Administrative Licenses**

(1) Definitions. As used in this rule, the following words shall mean:

(a) "Administrative Medicine" means administration or management utilizing the medical and clinical knowledge, skill, and judgment of a licensed physician capable of affecting the health and safety of the public or any person but shall not include the practice of medicine.

(b) "Administrative medicine license" means a license issued by the Board to engage in the practice of administrative medicine.

(c) "Board" means the Georgia Composite Medical Board.

(2) An applicant for an administrative medicine license shall meet all the requirements for issuance of a full license as provided in Rule 360-2-.01 except that the applicant shall not be required to show recent clinical practice.

(3) An administrative license, once issued, shall be renewable as provided in Rule 360-2-.05 and such applicant for renewal must comply with the provisions relating to continuing education as provided in Rule 360-15-.01.

(4) A person holding an administrative medicine license shall not be authorized to perform any surgical procedure, write prescriptions, or practice any clinical medicine.

(5) Licensees shall be subject to disciplinary provisions of O.C.G.A. §§ 43-34- 8, as well as the Board rules governing unprofessional conduct.

(6) This Rule shall have no effect on any person holding an unrestricted license issued prior to the effective date of this Rule; provided, however, that the license of any physician who has agreed to a board order where the only requirement of the order is the restriction of practice to administrative medicine based solely on the failure to meet the licensure clinical requirements to be engaged in the active practice of medicine may convert the license to an administrative medicine license by applying to the Board for such change and the Board's order regarding such physician shall be terminated.

(7) The Board may convert an administrative license to a full and unrestricted license. In order to convert an administrative medicine license to a full and unrestricted license, the administrative medicine licensee shall submit an application to the Board and shall demonstrate to the satisfaction of the board such licensee has the clinical competence to practice medicine under an unrestricted license and meets all applicable eligibility requirements for an unrestricted license including, but not be limited to, requiring the administrative medicine licensee to pass any examination or examinations the board deems necessary demonstrating clinical competency.

(8) The fee for the application and for renewals and late renewals shall be designated in the fee schedule.

Authority: O.C.G.A. Secs. 43-34-5, 43-34-36, and 43-34-29.1

### 360-2-.16. Educational Training Certificate

(1) A physician licensed in another state who intends to enter into this state for the sole purpose of participating in or providing educational training that involves the provision of patient care must apply for an educational training certificate in order to provide patient care. For purposes of this rule "educational training" shall include medical education training, conference, clinics, workshops or courses.

(2) The applicant for an education training certificate must complete an application form provided by the Board, including all required documents, signatures and seals. Said application must include:

(a) Proof of licensure in good standing in the applicant's current and licensing jurisdictions on a form approved by the Board. For the purpose of this rule "good standing" shall mean that the applicant has had no disciplinary action taken against his/her license by any state and that his/her license in any state is still active.

(b) A current report from the National Practitioner's Databank.

(c) Information about the educational program including:

1. Program Sponsor

2. Copies of program agendas, including the name of the provider(s), and the topics covered.

3. Other instructor's names and credentials

4. Location of the course.

(d) A fee as set by the Board on the fee schedule.

(3) Any educational training certificate issued by the Board will be valid for three months after issuance. After that time, it will expire. Any out of state physician needing additional time for an educational training certificate must reapply for an additional certificate.

Authority: O.C.G.A. Sections 43-34-5 and 43-34-29.2.