

GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR
LaSharn Hughes, MBA



BOARD CHAIRPERSON
John T. Perry, 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 by the Georgia Composite Medical Board that it intends to amend Chapter 360-1, entitled "Organization." An exact copy of the proposed amendments is 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 5:00p.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 **October 26, 2009** 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.

A public hearing is scheduled to begin at **8:15 a.m.** on **November 5, 2009** 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 **September 3, 2009**. The Board will consider at its meeting on **November 5, 2009** at **8:15 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 2, 2009**, 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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The authority for promulgation of these rules is O.C.G.A. §§ 43-34-5 and 43-34-33 and 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: 9/28/09

A handwritten signature in cursive script that reads "LaSharn Hughes".

Signed: _____

LaSharn Hughes, MBA
Executive Director
Georgia Composite Medical Board

ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-1

ORGANIZATION

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 Chapter 360-1

Purpose/Main Feature: With the passage of House Bill 509, the purpose of this rule changes are to reflect the new name of the Board, change the number of board members from twelve to thirteen physicians, and the number of consumer members from one to two. The rule also changes the name of the president and vice president to chairperson and vice-chairperson and changes the statutory power of the Board and the executive director.

O. C. G. A. §§ 43-34-2, 43-34-5, 43-34-6, 43-34-21, 43-34-24, and 43-34-24.1

RULES
OF
~~COMPOSITE STATE BOARD OF MEDICAL EXAMINERS~~
GEORGIA COMPOSITE MEDICAL BOARD
CHAPTER 360-1
ORGANIZATION

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The ~~Composite State Board of Medical Examiners~~ Georgia Composite Medical Board shall administer All Rules and Regulations pertaining to administration. As hereinafter used, the term "Board" shall mean the ~~Composite State Board of Medical Examiners~~ Georgia Composite Medical Board. The administrative office for the Board is located at 2 Peachtree Street, NW, Atlanta, Georgia 30303.

360-1-.01 Organization of Board. Amended.

The ~~Georgia Composite State Board of Medical Examiners~~ Board shall consist of ~~twelve~~ thirteen physicians and ~~one-two~~ consumer appointed by the Governor and confirmed by the Senate. The Board shall elect a chairperson and vice chairperson ~~president and vice-president~~. The public may obtain information and submit requests at the office of the Board. Board minutes shall not become official until approved by the Board.

360-1-.02 Executive Director.

The Board may appoint by a two thirds majority vote a person to serve as Executive Director of the Board.

(a) The Executive Director shall be vested with the following powers:

1. To carry out investigations and to hire investigators for the purpose of conducting investigations;
2. To hire such personnel as the board approves and deems necessary to carry out its function and with Board approval to appoint professional qualified persons to serve as members of peer review committees; ~~To hire such personnel as the Board deems necessary to carry out its functions and appoint professionally qualified persons to serve as members of peer review committees;~~
3. Under the direction of the Board, to aid in the enforcement of Chapter 34 of Title 43 and in the prosecution of all persons charged with violations of its provisions;
4. To make, or cause to be made through employees or agents of the Board, such investigations as the Board may deem necessary or advisable in the enforcement of Chapter 34 of Title 43;

5. To issue subpoenas, to compel access to documents or other materials that the Chairperson ~~President~~ of the Board, or the Vice Chairperson ~~Vice President~~ if the Chairperson ~~President~~ is not available, deems related to the fitness of any licensee or applicant to practice;

6. To authorize the issuance of notices of hearing by the Attorney General on behalf of the Board; and

~~7. The powers, duties, and functions granted to the joint secretary of the state examining boards under Chapter 1 of Title 43.~~

7. The executive director, with the approval of the board, notwithstanding any other provisions of law to the contrary, shall enter into such contracts as are deemed necessary to carry out this chapter to provide for all services required of the board.

Authority 43-34-2, 43-34-5, and 43-34-6

9/28/09