

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 360-9 entitled "Teacher's License." 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. §§ 43-1-19, 43-34-5, 43-34-8 and 43-34-29 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: 10-2-09

Signea: _____

LaSharn Hughes, MBA
Executive Director
Georgia Composite Medical Board

ECONOMIC IMPACT AND SYNOPSIS FOR
AMENDMENTS TO CHAPTER 360-9

Teacher's License

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 360-9

Purpose/Main Feature: The purpose of these rule changes to reflect the new name of the Board and amend the rules to make consistent with the changes to the new Georgia Medical Practice Act.

Authority O.C.G.A. Secs. 43-34-5, 43-34-8, and 43-34-29

RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS
GEORGIA COMPOSITE MEDICAL BOARD

CHAPTER 360-9
TEACHER'S LICENSE

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360-9-.02 Limitations. Amended.

(1) An applicant who is approved for a teacher's license may only teach or demonstrate medicine in a Board approved medical college or its affiliated clinic. For purposes of this Rule, a Board approved medical college shall be one approved by the Liaison Committee of Medical Education (L.C.M.E.) or the American Osteopathic Association (AOA). Under no circumstances shall such a license holder be authorized to open an office for the practice of medicine.

~~(2) If the license is issued after January 1, 1999, a teacher's license shall be valid for up to two years and may only be renewed, at the board's discretion, for one additional year. The teacher's license shall be valid only so long as the license holder currently holds an appointment as a faculty member at such an approved medical college. The expiration date of the teacher's license shall be determined based upon the expected duration of the appointment and shall be renewable only at the discretion of the Board. The license shall automatically expire upon termination of the appointment if such date occurs earlier than that listed on the license. In any event, such license shall expire two years from the date of issuance. Renewal of the license after two years shall be authorized only if the Board determines that such renewal is in the best interest of the public.~~

(3) The holder of a teacher's license shall not be authorized to possess a DEA registration for the prescribing, dispensing, etc. of controlled substances.

~~(2)~~ (4) In no event shall a Teacher's License be renewed more than once.

Authority O.C.G.A. Section 43-1-19, 43-34-5, 43-34-8, and 43-34-29

360-9-.04 Disciplinary Provisions.

The holder of a teacher's license is subject to all the provisions of ~~shall be subject to all disciplinary provisions of~~ O.C.G.A. § 43-34-37, 43-34-8 and O.C.G.A. § 43-1-19 any other applicable Board law, and the rule and regulations of the Board. ~~and Board Rule 360-2-.09 and shall at all times be expected to comply with the minimal standards of acceptable and prevailing medical practice in this State.~~

Authority O.C.G.A. Section 43-1-19, 43-34-5, 43-34-8, and 43-34-29