

FREE CONFERENCE COMMITTEE AMENDMENTS TO H.B. 2409

(Reference to Senate engrossed House bill)

1 Page 1, after line 17, insert:

2 "Sec. 2. Section 32-1421, Arizona Revised Statutes, is amended to
3 read:

4 32-1421. Exemptions from licensing requirements

5 A. This article does not apply to any person while engaged in:

6 1. The provision of medical assistance in case of an emergency.

7 2. The administration of family remedies including the sale of
8 vitamins, health foods or health food supplements or any other natural
9 remedies, except drugs or medicines for which an authorized prescription is
10 required by law.

11 3. The practice of religion, treatment by prayer or the laying on of
12 hands as a religious rite or ordinance.

13 4. The practice of any of the healing arts of and by Indian tribes in
14 this state.

15 5. The lawful practice of any of the healing arts to the extent
16 authorized by a license issued by this state.

17 6. Activities or functions ~~which~~ THAT do not require the exercise of a
18 doctor of medicine's judgment for their performance, are not in violation of
19 the laws of this state, ~~and~~ are usually or customarily delegated ~~to such~~
20 ~~persons~~ by a doctor of medicine under the doctor's direction or supervision
21 or are performed in accordance with the approval of a committee of physicians
22 in a licensed health care institution.

23 7. The official duties of a medical officer in the armed forces of the
24 United States, the United States ~~veterans administration~~ DEPARTMENT OF
25 VETERANS AFFAIRS or the United States public health service or their
26 successor agencies, if ~~such~~ THE duties are restricted to federal lands.

27 8. Any act, task or function competently performed by a physician
28 assistant in the proper performance of the physician assistant's duties.

1 9. The emergency harvesting of donor organs by a doctor of medicine or
2 team of doctors of medicine licensed to practice medicine in another state or
3 country for use in another state or country.

4 B. This article does not apply to ~~any~~:

5 1. A doctor of medicine residing in another ~~state, federal~~
6 jurisdiction ~~or country~~ who is authorized to practice medicine in that
7 jurisdiction, if ~~he~~ THE DOCTOR engages in actual single or infrequent
8 consultation with a doctor of medicine licensed in this state and if the
9 consultation regards a specific patient or patients.

10 2. A DOCTOR OF MEDICINE WHO IS LICENSED TO PRACTICE IN ANOTHER
11 JURISDICTION IF THE DOCTOR ENGAGES IN THE PRACTICE OF MEDICINE THAT IS
12 LIMITED TO PATIENTS WITH WHOM THE DOCTOR HAS AN ALREADY ESTABLISHED
13 DOCTOR-PATIENT RELATIONSHIP AND WHO RESIDE OUTSIDE THIS JURISDICTION WHEN
14 BOTH THE DOCTOR AND THE PATIENT ARE PHYSICALLY IN THIS STATE FOR NOT MORE
15 THAN SIXTY CONSECUTIVE DAYS. FOR THE PURPOSES OF THIS PARAGRAPH, "PATIENT"
16 MEANS A PERSON WHO IS NOT A RESIDENT OF THIS STATE AND WHO IS AN ATHLETE OR A
17 PROFESSIONAL ENTERTAINER.

18 Sec. 3. Section 32-1422, Arizona Revised Statutes, is amended to read:

19 32-1422. Basic requirements for granting a license to practice
20 medicine

21 A. An applicant for a license to practice medicine in this state
22 pursuant to this article shall meet each of the following basic requirements:

23 1. Graduate from an approved school of medicine or receive a medical
24 education that the board deems to be of equivalent quality.

25 2. Successfully complete an approved twelve month hospital internship,
26 residency or clinical fellowship program.

27 3. Have the physical and mental capability to safely engage in the
28 practice of medicine.

29 4. Have a professional record that indicates that the applicant has
30 not committed any act or engaged in any conduct that would constitute grounds
31 for disciplinary action against a licensee under this chapter.

1 5. Not have had a license to practice medicine revoked by a medical
2 regulatory board in another jurisdiction in the United States for an act that
3 occurred in that jurisdiction that constitutes unprofessional conduct
4 pursuant to this chapter.

5 6. Not be currently under investigation, suspension or restriction by
6 a medical regulatory board in another jurisdiction in the United States for
7 an act that occurred in that jurisdiction that constitutes unprofessional
8 conduct pursuant to this chapter. If the applicant is under investigation by
9 a medical regulatory board in another jurisdiction, the board shall suspend
10 the application process and may not issue or deny a license to the applicant
11 until the investigation is resolved.

12 7. Not have surrendered a license to practice medicine in lieu of
13 disciplinary action by a medical regulatory board in another jurisdiction in
14 the United States for an act that occurred in that jurisdiction that
15 constitutes unprofessional conduct pursuant to this chapter.

16 8. Pay all fees required by the board.

17 9. Complete the application as required by the board.

18 10. Complete a training unit as prescribed by the board relating to the
19 requirements of this chapter and board rules. The applicant shall submit
20 proof with the application form of having completed the training unit.

21 11. HAVE SUBMITTED DIRECTLY TO THE BOARD, ELECTRONICALLY OR BY HARD
22 COPY, VERIFICATION OF THE FOLLOWING:

23 (a) LICENSURE FROM EVERY STATE IN WHICH THE APPLICANT HAS EVER HELD A
24 MEDICAL LICENSE.

25 (b) ALL HOSPITAL AFFILIATIONS AND EMPLOYMENT FOR THE FIVE YEARS
26 PRECEDING APPLICATION. EACH HOSPITAL MUST VERIFY AFFILIATIONS OR EMPLOYMENT
27 ON THE HOSPITAL'S OFFICIAL LETTERHEAD OR THE ELECTRONIC EQUIVALENT.

28 B. The board may require the submission of credentials or other
29 evidence, written and oral, and make any investigation it deems necessary to
30 adequately inform itself with respect to an applicant's ability to meet the
31 requirements prescribed by this section, including a requirement that the
32 applicant for licensure undergo a physical examination, a mental evaluation

1 and an oral competence examination and interview, or any combination thereof,
2 as the board deems proper.

3 C. In determining if the requirements of subsection A, paragraph 4
4 have been met, if the board finds that the applicant committed an act or
5 engaged in conduct that would constitute grounds for disciplinary action, the
6 board shall determine to its satisfaction that the conduct has been
7 corrected, monitored and resolved. If the matter has not been resolved, the
8 board shall determine to its satisfaction that mitigating circumstances exist
9 that prevent its resolution.

10 D. In determining if the requirements of subsection A, paragraph 6
11 have been met, if another jurisdiction has taken disciplinary action against
12 an applicant, the board shall determine to its satisfaction that the cause
13 for the action was corrected and the matter resolved. If the matter has not
14 been resolved by that jurisdiction, the board shall determine to its
15 satisfaction that mitigating circumstances exist that prevent its resolution.

16 E. The board may delegate authority to the executive director to deny
17 licenses if applicants do not meet the requirements of this section.

18 Sec. 4. Section 32-1426, Arizona Revised Statutes, is amended to read:
19 32-1426. Licensure by endorsement

20 A. An applicant who is licensed in another jurisdiction **OR WHOSE**
21 **LICENSE UNDER THIS CHAPTER HAS EXPIRED** and who meets the applicable
22 requirements prescribed in section 32-1422, 32-1423 or 32-1424, has paid the
23 fees required by this chapter and has filed a completed application found by
24 the board to be true and correct is eligible to be licensed to engage in the
25 practice of medicine in this state through endorsement under any one of the
26 following conditions:

27 1. The applicant is certified by the national board of medical
28 examiners or its successor entity as having successfully passed all three
29 parts of the United States medical licensing examination or its successor
30 examination.

31 2. The applicant has successfully passed a written examination that
32 the board determines is equivalent to the United States medical licensing

1 examination and that is administered by any state, territory or district of
2 the United States, a province of Canada or the medical council of Canada.

3 3. The applicant successfully completed the three-part written
4 federation of state medical boards licensing examination administered by any
5 jurisdiction before January 1, 1985 and obtained a weighted grade average of
6 at least seventy-five on the complete examination. Successful completion of
7 the examination shall be achieved in one sitting.

8 4. The applicant successfully completed the two component federation
9 licensing examination administered after December 1, 1984 and obtained a
10 scaled score of at least seventy-five on each component within a five-year
11 period.

12 5. The applicant's score on the United States medical licensing
13 examination was equal to the score required by this state for licensure
14 pursuant to section 32-1425.

15 6. The applicant successfully completed one of the following
16 combinations of examinations:

17 (a) Parts one and two of the national board of medical examiners
18 examination, administered either by the national board of medical examiners
19 or the educational commission for foreign medical graduates, with a
20 successful score determined by the national board of medical examiners and
21 passed either step three of the United States medical licensing examination
22 or component two of the federation licensing examination with a scaled score
23 of at least seventy-five.

24 (b) The federation licensing examination component one examination and
25 the United States medical licensing step three examination with scaled scores
26 of at least seventy-five.

27 (c) Each of the following:

28 (i) Part one of the national board of medical examiners licensing
29 examination with a passing grade as determined by the national board of
30 medical examiners or step one of the United States medical licensing
31 examination with a scaled score of at least seventy-five.

1 (ii) Part two of the national board of medical examiners licensing
2 examination with a passing grade as determined by the national board of
3 medical examiners or step two of the United States medical licensing
4 examination with a scaled score of at least seventy-five.

5 (iii) Part three of the national board of medical examiners licensing
6 examination with a passing grade as determined by the national board of
7 medical examiners or step three of the United States medical licensing
8 examination with a scaled score of at least seventy-five or component two of
9 the federation licensing examination with a scaled score of at least
10 seventy-five.

11 B. The board may require an applicant seeking licensure by endorsement
12 based on successful passage of a written examination or combination of
13 examinations, the most recent of which precedes by more than ten years the
14 application for licensure by endorsement in this state, to take and pass a
15 special purpose licensing examination to assist the board in determining the
16 applicant's ability to safely engage in the practice of medicine. The board
17 may also conduct a records review and physical and psychological assessments,
18 if appropriate, and may review practice history to determine the applicant's
19 ability to safely engage in the practice of medicine.

20 Sec. 5. Section 32-1428, Arizona Revised Statutes, is amended to read:
21 32-1428. Pro bono registration

22 A. The board may issue a pro bono registration to allow a doctor who
23 is not a licensee to practice in this state for **A TOTAL OF UP TO** sixty days
24 each calendar year if the doctor:

25 1. Holds an active and unrestricted license to practice medicine in a
26 state, territory or possession of the United States or an inactive license
27 pursuant to section 32-1431.

28 2. Has never had the license revoked or suspended.

29 3. Is not the subject of an unresolved complaint.

30 4. Applies for registration on a yearly basis as prescribed by the
31 board.

1 5. Provides proof satisfactory to the board that the doctor meets the
2 applicable requirements of section 32-1422, 32-1423 or 32-1424.

3 6. Agrees to render all medical services without accepting a fee or
4 salary or performs only initial or follow-up examinations at no cost to the
5 patient and the patient's family through a charitable organization.

6 B. THE SIXTY DAYS OF PRACTICE PRESCRIBED PURSUANT TO SUBSECTION A OF
7 THIS SECTION MAY BE PERFORMED CONSECUTIVELY OR CUMULATIVELY DURING EACH
8 CALENDAR YEAR."

9 Amend title to conform

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