

Introduced: 3/18/74  
Referred: Health, Education &  
Social Services and Judiciary

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 795

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the State Medical Board."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 08.64.050 is amended to read:

9 Sec. 08.64.050. OATH OF OFFICE. Each member shall take an oath of  
10 office. The oath shall be filed and preserved in the division of occu-  
11 pational licensing [CENTRAL LICENSING SECTION] of the department.

12 \* Sec. 2. AS 08.64 is amended by adding a new section to read:

13 Sec. 08.64.107. REGULATION OF PHYSICIAN ASSISTANTS. The board  
14 may adopt regulations regarding the registration of physician assistants  
15 and the medical services that assistants may perform, including but not  
16 limited to (1) the educational and other qualifications of the assistants,  
17 (2) the application and registration procedures for the assistant and the  
18 physician, (3) the scope of activities authorized for an assistant, and  
19 (4) the responsibilities of the supervising physician.

20 \* Sec. 3. AS 08.64.200 is amended to read:

21 Sec. 08.64.200. QUALIFICATIONS OF PHYSICIAN APPLICANTS. Except  
22 for foreign medical graduates as specified in sec. 225 of this chapter,  
23 each [EACH] physician applicant shall

24 (1) be of good moral character;

25 (2) submit a certificate of graduation from a legally  
26 chartered medical school accredited by the Association of American  
27 Medical Colleges and the Council on Medical Education of the American  
28 Medical Association;

29 (3) submit a certificate from a recognized hospital certify-

1 ing that the applicant has satisfactorily performed the duties of  
2 resident physician or intern for a period of one year; [AND]

3 (4) not have a license to practice medicine in another state,  
4 province, or territory which is currently suspended or revoked for  
5 disciplinary reasons; and

6 (5) be a citizen of the United States or be lawfully admitted  
7 for permanent residence.

8 \* Sec. 4. AS 08.64.205 is amended to read:

9 Sec. 08.64.205. QUALIFICATIONS FOR OSTEOPATH APPLICANTS. Each  
10 osteopath applicant shall meet the qualifications prescribed in sec.  
11 200(1), [AND] (4) and (5) of this chapter and shall

12 (1) submit a certificate of graduation from a legally  
13 chartered school of osteopathy approved by the board;

14 (2) submit a certificate from a hospital approved by the  
15 American Osteopathic Association or the American Medical Association  
16 which certifies that he has satisfactorily completed and performed the  
17 duties of intern or resident physician for one year;

18 (3) take the examination required by sec. 210 of this  
19 chapter; no waiver of this requirement for an osteopath applicant may  
20 be given.

21 \* Sec. 5. AS 08.64.225 is amended to read:

22 Sec. 08.64.225. FOREIGN MEDICAL GRADUATES. Applicants who are  
23 graduates of medical colleges not accredited by the American Medical  
24 Association or one of its agencies shall meet the requirements of  
25 sec. 200(1), (3), [AND] (4) and (5) of this chapter and must have  
26 passed an examination and be certified by the Education Council on  
27 Foreign Medical Graduates, or be licensed by examination in another  
28 state or territory of the United States or province of Canada.

29 \* Sec. 6. AS 08.64.270 is amended to read:

1           Sec. 08.64.270. TEMPORARY PERMITS. (a) The board may issue a  
2 [NONRENEWABLE] temporary permit to an applicant [FOR LICENSURE BY  
3 ENDORSEMENT OR BY EXAMINATION] who meets the requirements of sec. 200  
4 or 205 of this chapter and pays the required fee.

5           (b) A temporary permit [ISSUED TO AN APPLICANT FOR LICENSURE BY  
6 ENDORSEMENT] is valid for eight months or until the board meets to  
7 consider the application, whichever occurs first.

8           (c) A temporary permit may be renewed at the board's discretion  
9 one time only. [A TEMPORARY PERMIT ISSUED TO AN APPLICANT FOR LICENSURE  
10 BY EXAMINATION IS VALID UNTIL THE RESULTS OF THE FIRST EXAMINATION FOR  
11 WHICH THE APPLICANT IS SCHEDULED ARE PUBLISHED. IF THE APPLICANT FAILS  
12 TO TAKE THE FIRST EXAMINATION FOR WHICH HE IS SCHEDULED HIS TEMPORARY  
13 PERMIT IS REVOKED ON THE DAY OF THE EXAMINATION.]

14 \* Sec. 7. AS 08.64.330(b) is amended to read:

15           (b) After a hearing, a [A] license may be suspended, limited,  
16 revoked or annulled, or the licensee may be reprimanded, censured or  
17 disciplined by the board for (1) unprofessional or dishonorable conduct  
18 as defined in sec. 380(3) of this chapter, [OR FOR] (2) professional  
19 incompetence, or (3) a violation of this chapter or a regulation  
20 adopted under it.

21 \* Sec. 8. AS 08.64 is amended by adding new sections to read:

22           Sec. 08.64.332. AUTOMATIC SUSPENSION FOR MENTAL INCOMPETENCY OR  
23 INSANITY. Notwithstanding AS 44.62.330 - 44.62.640, if a person holding  
24 a license to practice medicine and surgery or osteopathy under this  
25 chapter is adjudged mentally incompetent or insane by any final order  
26 of adjudication by a court of competent jurisdiction or by voluntary  
27 commitment to an institution for the treatment of mental illness, his  
28 license shall be automatically suspended by the board. The suspension  
29 shall continue in effect until the licensee is found or adjudged by the

1 court to be restored to reason or until he is determined to be restored  
2 to reason by a licensed psychiatrist approved by the board.

3 Sec. 08.64.334. VOLUNTARY SURRENDER. The board, at its discretion,  
4 may accept the voluntary surrender of a license. No license may be  
5 returned unless the board determines, under regulations established by  
6 it, that the licensee is competent to resume his practice. However, no  
7 license may be returned to the licensee if the voluntary surrender  
8 resulted in the dropping or suspension of civil or criminal charges  
9 against the physician.

10 Sec. 08.64.336. DUTY OF PHYSICIANS TO REPORT. (a) A physician  
11 who professionally treats a person licensed to practice medicine and  
12 surgery or osteopathy in this state for alcoholism or drug addiction,  
13 or for mental, emotional or personality disorders, shall report it to  
14 the board if he feels that the person may constitute a danger to the  
15 health and welfare of his patients or the public if he continues in  
16 practice. The report shall state the name and address of the person and  
17 the condition found.

18 (b) Upon receipt of a report under (a) of this section, the board  
19 shall investigate the matter and, upon a finding of reasonable cause,  
20 may appoint a committee of three qualified physicians to examine the  
21 licensee and report their findings to the board.

22 (c) If the board finds that the licensee is unable to continue  
23 to practice medicine and surgery or osteopathy with reasonable safety  
24 to his patients or the public, it shall initiate action to suspend,  
25 revoke, limit or condition his license to the extent determined neces-  
26 sary for the protection of the public.

27 \* Sec. 9. AS 08.64.380(3) is amended by adding a new subparagraph to read  
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29 (H) violating the principles of medical ethics of the  
American Medical Association and of the Alaska State Medical

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\* Sec. 10. AS 08.64.170(b) is repealed.