

BY KERTTULA  
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 200

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 EIGHTH LEGISLATURE - FIRST 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. (a) The  
14 board may adopt regulations regarding the registration of physician  
15 assistants and the medical services that assistants may perform, includ-  
16 ing but not limited to (1) the educational and other qualifications of  
17 the assistants, (2) the application and registration procedures for the  
18 assistant and the physician, (3) the scope of activities authorized for  
19 an assistant, and (4) the responsibilities of the supervising physician.

20 (b) No physician may supervise more than two physician assistants.

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

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

25 (1) be of good moral character;

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

1 (3) submit a certificate from a recognized hospital certify-  
2 ing that the applicant has satisfactorily performed the duties of  
3 resident physician or intern for a period of one year; [AND]

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

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

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

10 Sec. 08.64.205. QUALIFICATIONS FOR OSTEOPATH APPLICANTS. Each  
11 osteopath applicant shall meet the qualifications prescribed in sec.  
12 200(1), [AND] (4) and (5) of this chapter and shall

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

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

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

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

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

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

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

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

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

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

16 (b) After a hearing, a license may be suspended, revoked, limited  
17 or annulled or the licensee may be reprimanded, censured or disciplined  
18 by the board for a violation of this chapter or a regulation adopted  
19 under it. The board shall adopt regulations establishing procedures  
20 for investigating complaints, conducting reviews and initiating dis-  
21 ciplinary action against a person licensed under this chapter. [A  
22 LICENSE MAY BE REVOKED FOR UNPROFESSIONAL OR DISHONORABLE CONDUCT AS  
23 DEFINED IN SEC. 380(3) OF THIS CHAPTER, OR FOR PROFESSIONAL INCOMPETENCE.]

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

25 Sec. 08.64.332. AUTOMATIC SUSPENSION FOR MENTAL INCOMPETENCY OR  
26 INSANITY. Notwithstanding AS 44.62.330 - 44.62.640, if a person holding  
27 a license to practice medicine and surgery or osteopathy under this  
28 chapter is adjudged mentally incompetent or insane by any final order  
29 of adjudication by a court of competent jurisdiction or by voluntary

1 commitment to an institution for the treatment of mental illness, his  
2 license shall be automatically suspended by the board. The suspension  
3 shall continue in effect until the licensee is found or adjudged by the  
4 court to be restored to reason or until he is determined to be restored  
5 to reason by a licensed psychiatrist approved by the board.

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

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

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

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

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\* Sec. 9. AS 08.64.380(3) is amended by adding a new paragraph to read:

(H) violating the principles of medical ethics of the  
American Medical Association and of the Alaska State Medical  
Association.

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