



# LAWS OF ALASKA

1974

Source

HCSSB 442

Chapter No.

101

## AN ACT

Relating to the regulation of physicians, physician assistants and physician-trained mobile intensive care paramedics by the State Medical Board.

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

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

Sec. 08.64.050. OATH OF OFFICE. Each member shall take an oath of office. The oath shall be filed and preserved in the division of occupational licensing of the department.

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

Sec. 08.64.107. REGULATION OF PHYSICIAN ASSISTANTS AND INTENSIVE CARE PARAMEDICS. The board shall adopt regulations regarding the registration of physician assistants and physician-trained mobile intensive care paramedics, and the medical services that each may perform, including but not limited to (1) the educational and other qualifications, (2) the application and registration procedures, (3) the scope of activities authorized, and (4) the responsibilities of the supervising or training physician.

\* Sec. 3. AS 08.64.170(a) is amended to read:

(a) No person may practice medicine or osteopathy in the state unless he is licensed under this chapter, except that

(1) a physician assistant may examine, diagnose or treat persons under the supervision, control, and responsibility of either a physician licensed under this chapter or a physician exempted from licensure under sec. 370 of this chapter; and

(2) a physician-trained mobile intensive care paramedic may render emergency lifesaving service.

\* Sec. 4. AS 08.64.170(b) is repealed.

\* Sec. 5. AS 08.64.200 is amended to read:

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

(1) be of good moral character;

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

(3) submit a certificate from a recognized hospital certifying that the applicant has satisfactorily performed the duties of resident physician or intern for a period of one year;

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

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

\* Sec. 6. AS 08.64.205 is amended to read:

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

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

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

(3) take the examination required by sec. 210 of this chapter or be certified to practice by the National Board of Examiners for Osteopathic Physicians and Surgeons

\* Sec. 7. AS 08.64.225 is amended to read:

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

\* Sec. 8. AS 08.64.270 is amended to read:

Sec. 08.64.270. TEMPORARY PERMITS. (a) The board may issue a temporary permit to an applicant who meets the requirements of sec. 200 or 205 of this chapter and pays the required fee.

(b) A temporary permit is valid for eight months or until the board meets to consider the application, whichever occurs first.

(c) A temporary permit may be renewed at the board's discretion one time only.

\* Sec. 9. AS 08.64.330(b) is amended to read:

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

\* Sec. 10. AS 08.64 is amended by adding new sections to read:

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

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

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

(b) Upon receipt of a report under (a) of this section, the board shall investigate the matter and, upon a finding of reasonable cause, may appoint a committee of three

qualified physicians to examine the licensee and report their findings to the board.

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

\* Sec. 11. AS 08.64.360 is amended to read:

Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN VIOLATION OF CHAPTER. Except for a physician assistant and a physician-trained mobile intensive care paramedic under sec. 170 of this chapter, a person practicing medicine or osteopathy in the state without obtaining and filing an appropriate license is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$50 nor more than \$100, or by imprisonment for not less than 10 days nor more than 90 days, or by both. Evidence that the defendant has failed to file a license with the clerk of the court is prima facie evidence that the defendant is not licensed. Each day of illegal practice is a separate offense.

\* Sec. 12. AS 08.64.380(3) is amended by adding a new subparagraph to read:

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

\* Sec. 13. AS 08.64.380 is amended by adding new paragraphs to read:

(6) "physician-trained mobile intensive care paramedic" means a person who

(A) has successfully completed the advanced first aid course prescribed by the board;

(B) is trained by a licensed physician

(i) to carry out all phases of cardio-pulmonary resuscitation,

(ii) to administer drugs under written or oral authorization of a licensed physician,

(iii) to administer intravenous solutions under written or oral authorization of a licensed physician; and

(C) has been examined and certified as a physician-trained mobile intensive care paramedic by the board or by the board's designated representatives;

(7) "emergency lifesaving service" means medical assistance given to a person whose physical condition, in the opinion of a reasonably prudent person, is such that his life is endangered.

\* Sec. 14. AS 08.64 is amended by adding a new section to read:

Sec. 08.64.366. LIABILITY FOR SERVICES RENDERED BY A PHYSICIAN-TRAINED MOBILE INTENSIVE CARE PARAMEDIC. No act or omission of a physician-trained mobile intensive care paramedic done or omitted in good faith while rendering emergency lifesaving service to a person who is in immediate danger of loss of life shall impose any liability upon the physician-trained mobile intensive care paramedic, the supervising physician, a hospital, the officers, members of the staff, nurses, or other employees of a hospital or upon a federal, state, borough, city or other local governmental unit or upon other employees of a governmental unit; however, this section does not relieve a physician or a hospital of a duty otherwise imposed by law upon the physician or hospital for the designation or training of a physician-trained mobile intensive care paramedic or for the provision or maintenance of equipment to be used by the physician-trained mobile intensive care paramedic.