

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-444)
107TH LEGISLATURE

COMMITTEE AMENDMENT " A " to H.P. 1100, L.D. 1381,
Bill, "AN ACT to Clarify the Medical Practice Act."

Amend said Bill by striking out everything after the
enacting clause and inserting in place thereof the following:

'Sec. 1. 32 MRSA §3269, sub-§9, 2nd sentence, as enacted by PL 1971, c. 591, §1, is amended to read:

Said board shall annually, ~~on or before the first day of July in each year,~~ make a report to the Governor and to the Legislature containing a full and complete account of all its official acts during the preceding year, and a statement of its receipts and disbursements and such comments or suggestions as it may deem essential.

Sec. 2. 32 MRSA §3270-A, first sentence, as enacted by PL 1973, c. 514, §2, is amended to read:

Nothing contained in this chapter shall be construed to prohibit an individual from rendering medical services, if such services are rendered under the supervision and control of a physician or surgeon, provided that such individual shall have satisfactorily completed a training program approved by the Board of Registration in Medicine and any competency examination determined by this board.

Sec. 3. 32 MRSA §3271, first ¶, as enacted by PL 1971, c. 591, §1, is amended to read:

Any graduate of a medical school in the United States or Canada designated as accredited by the American Medical Association and the Association of American Medical Colleges, or any foreign medical school graduate ~~who is either a citizen of the United States or has been admitted to the United States for permanent residence as an immigrant and~~ who has been evaluated by the Educational ~~Council~~ Commission for Foreign Medical Graduates and is a recipient of its permanent certificate, or has successfully completed an academic year of supervised clinical training under the direction of a medical school approved by the American Medical Association and who has ~~served an internship for~~ spent at least 12 months ~~or its equivalent in an~~ a graduate educational program approved by the American Medical Association ~~or the Medical Council of Canada, the Canadian Medical Association, the Royal College of Physicians and Surgeons of Canada, or the Board of Registration in Medicine,~~ upon payment of a fee of \$125, shall be entitled to examination, and if found qualified by a majority of the members of the board, shall be registered as a physician or surgeon in the State of Maine.

Sec. 4. 32 MRSA §3276, as enacted by PL 1971, c. 591, §1, is repealed and the following enacted in place thereof:

§3276. Temporary licensure

Any physician who is qualified under section 3271
may be granted a temporary license for a period not
to exceed one year, when the board deems it necessary to provide
relief for local or national emergencies or for situations in
which there are insufficient physicians to supply adequate
medical services. The fee for this temporary license shall be
\$50 payable at the time of application.

Sec. 5. 32 MRSA §3277, first sentence, as enacted by PL 1971, c. 591, §1, is amended to read:

Any physician, a graduate of an accredited medical school or university or a foreign medical school graduate, who holds a permanent certificate from the Educational ~~Council~~ Commission for Foreign Medical Graduates, or has successfully completed an academic year of supervised clinical training under the direction of a medical school approved by the American Medical Association, and who is of good repute may, at the discretion of the board, ~~make application for a temporary license to practice~~ be temporarily licensed as camp physician so that he may care for the campers in that particular camp for which he was hired and obtained as a camp physician.

Sec. 6. 32 MRSA §3278, as enacted by PL 1971, c. 591, §1, is amended to read:

§3278. Locum tenens

Any physician, a graduate of an accredited medical school or university or foreign medical school graduate who holds a permanent certificate from the Educational ~~Council~~ Commission for Foreign Medical Graduates, or has successfully completed an academic year of supervised clinical training under the direction of a medical school approved by the American Medical Association, and who is of good repute may, at the discretion of the board, be given a temporary license to be effective for not more than 6 months after issuance for the purpose of permitting such physician to serve as "locum tenens" for some other physician who is then licensed to practice medicine in this State and whose own license is not temporary or limited under any of the provisions of this chapter, provided that such Maine physician is either unable because of illness to maintain his practice or because of his absence from the general locus of such practice or for other reasons deemed sufficient by the board.

Sec. 7. 32 MRSA §3279, first and 2nd ¶¶, as enacted by PL 1971, c. 591, §1, are amended to read:

Any physician who is otherwise qualified under section 3271 may be licensed by the board as an intern for no longer than a period of 24 months.

Any physician who is otherwise qualified under section 3271 may be licensed by the board as a hospital resident.

Sec. 8. 32 MRSA §3280, 2nd sentence, as enacted by PL 1971, c. 591, §1, is repealed and the following enacted in place thereof:

The registration fee for residents of this State and for non-residents shall be fixed by rule or regulation, but shall in no event exceed the sum of \$25.

Sec. 9. 32 MRSA §3280, last sentence, as enacted by PL 1971, c. 591, §1, is amended to read:

Thirty days after such notice has been sent, if reregistration has still not been made, the board shall notify said licensee by registered mail, return receipt requested, with instructions to deliver to addressee only, that his license has been suspended for 30 days, at the end of which period, if reregistration has still not been made, the board shall summarily revoke said license and shall not restore same except after hearing and upon the following conditions: ~~The licensee shall show cause why he failed to register and pay to said board \$10 for each biennial period that he is in arrears~~ the board for registration fee arrearage and an additional reinstatement fee of \$25.

Statement of Fact

The purpose of section 1 of this amendment is to retain existing language under 32 MRSA §3269, sub-§9, which provides that records kept by the Board of Registration in Medicine be open to inspection. Section 2 of the amendment allows medical assistants to provide medical services if they have completed a training program approved by the board, as already specified under 32 MRSA §3270-A, and/or if they have completed a competency examination determined by the board. Section 3 of the amendment makes an additional change to 32 MRSA §3271, which was repealed and rewritten under section 2 of the original bill. This section adds language to the bill so that the Canadian Medical Association and the Royal College of Physicians and Surgeons of Canada are among the organizations authorized to approve graduate educational programs in which foreign medical school graduates can participate. Section 4 of the amendment merely changes the title of 32 MRSA §3275. Section 5 repeals 32 MRSA §3276 and enacts new provisions which allow the Board of Registration in Medicine to issue temporary licenses during emergencies or when there is an insufficient number of physicians to supply adequate medical services. All other sections of the amendment do not vary from the original bill.

COMMITTEE AMENDMENT "A" to H.P. 1100, L.D. 1381,
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Reported by the Committee on Health and Institutional
Services.

Reproduced and distributed under the direction of the Clerk
of the House.
5/23/75

(Filing No. H-444)