

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1381**

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H. P. 1100

House of Representatives, March 24, 1975

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Stubbs of Hallowell.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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### AN ACT to Clarify the Medical Practice Act.

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 32 MRSA § 3269, sub-§ 9, as enacted by PL 1971, c. 591, § 1, is repealed and the following enacted in place thereof:

9. Open financial records. Said board shall annually make a report to the Governor containing a full and complete account of all its official acts, and a statement of its receipts and disbursements for the preceding fiscal year and such comments and suggestions as it may deem essential.

Sec. 2. 32 MRSA § 3271, first ¶, as enacted by PL 1971, c. 591, § 1, is repealed and the following enacted in place thereof:

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 has been evaluated by the Educational 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 for at least 12 months in a graduate educational program approved by the American Medical Association, the Medical Council 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**Sec. 3.** 32 MRSA § 3277, first sentence, as enacted by PL 1971, c. 591, § 1, is repealed and the following enacted in place thereof:

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 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 temporarily licensed as a 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. 4.** 32 MRSA § 3278, first sentence, as enacted by PL 1971, c. 591, § 1, is repealed and the following enacted in place thereof:

Any physician, a graduate of an accredited medical school or university or foreign medical school graduate who holds a permanent certificate from the Educational 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. 5.** 32 MRSA § 3279, first and 2nd ¶¶, as enacted by PL 1971, c. 591, § 1, are repealed and the following enacted in place thereof:

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. 6.** 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 nonresidents shall be fixed by the board by rule or regulation, but shall in no event exceed the sum of \$25.

**Sec. 7.** 32 MRSA § 3280, last sentence, as enacted by PL 1971, c. 591, § 1, is repealed and the following enacted in place thereof:

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 reregister and pay the board for registration fee arrearage and pay to said board an additional reinstatement fee of \$25.**

### STATEMENT OF FACT

The intent of this Act is as follows:

**Sec. 1.** The board operates on the fiscal year basis, from July 1st to June 30th; it is impossible to meet the July 1st date for submitting a complete and accurate report to the Governor as required by present law.

**Sec. 2.** The American Medical Association enables United States citizens who have found it necessary to attend a foreign medical school, to substitute the internship or social service requirements of the foreign country with a year of supervised clinical training at a United States medical school. This change would adopt the American Medical Association's recommendation.

Free-standing internships are being integrated into the continuum of medical education and use of the term "internship" will eventually disappear.

The visa-requirement is being eliminated since it is unrelated to the competency and quality of prospective physicians and discriminates against those who otherwise are eligible for licensure.

**Sec. 3 and 4.** As in paragraph 1 of section 2 above.

**Sec. 5.** The word "otherwise" corrects the incongruity of the original sentence.

**Sec. 6 and 7.** In keeping with mounting administration costs an increase in renewal and reinstatement fees is appropriate. By increasing the renewal fee to \$10 for Maine residents in 1976, the estimated increase in revenue will be approximately \$6,750.