

ENROLLED ACT NO. 39, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to medical practice; providing for licensing of physicians in training; providing for annual renewal of medical licenses; providing for fees to be set by the board of medicine; amending competency evaluation procedures; repealing a provision concerning impaired physician examination committees; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-26-301(b) and by creating a new paragraph (v), 33-26-304 by creating new subsections (c) and (d), 33-26-305(a) and (c) and 33-26-403(a), (b) and (d) are amended to read:

33-26-301. License required.

(b) Upon appropriate application, fulfillment of eligibility criteria and successful completion of all other requirements, the board may grant:

(i) A ~~permanent~~ license to practice medicine, subject to annual renewal;

(ii) A temporary license to practice medicine pursuant to W.S. ~~33-26-304~~ 33-26-304(a);

(iii) A restricted or conditional license; ~~or~~

(iv) An inactive license, provided the qualifications for and the conditions of this license shall be established by rule; ~~or~~ or

(v) A medical training license pursuant to W.S. 33-26-304(c).

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**33-26-304. Temporary license to practice medicine;
medical training license; application; qualifications.**

(c) The board may issue a medical training license for a term that expires at 12:01 a.m. July 1 of each year to a person who:

(i) Has signed a contract with an A.C.G.M.E. accredited residency program located in this state;

(ii) Has graduated from a school of medicine accredited by the L.C.M.E., a school of osteopathy accredited by the A.O.A. or a Canadian accredited school of medicine;

(iii) Has successfully completed steps one (1) and two (2) of the USMLE;

(iv) Is under the supervision of residency faculty;

(v) Has completed an application form provided by the board;

(vi) Has paid the appropriate fees pursuant to W.S. 33-26-307;

(vii) Has not had his license suspended, revoked or restricted by or have any disciplinary or clinical privilege action pending before any committee of a health care facility, any other state medical or licensing board, or if his license or privileges were suspended, revoked or restricted or relinquished while under investigation or the threat of an investigation, has had his license or privileges reinstated, is eligible for reinstatement or the

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imposed license or privilege restrictions have been removed; and

(viii) Meets any additional requirements that the board may impose by regulation which are necessary to implement this act.

(d) A person who has pled guilty to or has been convicted of a felony or any crime that is a felony under Wyoming law in any state or federal court or in any court of similar jurisdiction in another country may apply for licensure, provided the board may deny licensure based upon the plea or conviction alone.

33-26-305. Annual renewal; expiration; reactivation of lapsed licenses; duplicates.

(a) All licenses other than temporary licenses ~~to practice medicine and medical training licenses~~ shall lapse ~~at 12:01 a.m. July 1 of each year~~ annually on a date or dates to be established by rules adopted by the board. A licensee may renew his license each year by submitting a renewal application containing information required by the board, accompanied by sending his signature, current address, the registration number, practice related information requested by the board, proof of compliance with and fulfillment of continuing medical education requirements of the board in the manner set forth in the board's continuing medical education rules and regulations and a renewal fee to the board after April 1 but prior to July 1 of each year in an amount set by the board pursuant to W.S. 33-26-307. The licensee additionally shall report any disciplinary action pending or taken by a state examining board, a health care entity or the grievance committee of a medical society during the preceding year.

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(c) The board may reactivate a lapsed license if the applicant pays a reactivation fee and fulfills ~~the~~ all requirements for the granting of an initial license.

33-26-403. Impaired physicians.

(a) The board may order a licensee to undergo one (1) or more mental, physical ~~competency~~ or medical competency examinations by examiners deemed appropriate by the board if it has reasonable cause to believe that the licensee ~~is~~ may be impaired. ~~Any~~ If a disciplinary proceeding ~~is~~ pending against the licensee at the time of the order, the proceeding shall be stayed until the results of the examination have been finalized and submitted to the board.

(b) Every licensee is deemed to have consented to and shall submit to a board ~~requested~~ ordered mental, physical, or medical competency examination and to have waived all objections to the production of the report of the examination to the board and the admissibility of the report of the examination in any board proceedings in which the licensee is or may become a respondent. If a licensee fails to submit to an examination when ~~requested~~ ordered by the board, the board may initiate a disciplinary proceeding against the licensee or amend a pending complaint to include a claim based upon a violation of this section.

(d) The licensee may submit additional information to the board, including but not limited to medical reports, consultations or laboratory reports obtained through an examination performed by a practitioner designated by the licensee. ~~The licensee may also designate another physician to be present at the examination and make an independent report to the board.~~

Section 2. W.S. 33-26-403(c) is repealed.

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Section 3. This act is effective July 1, 2006.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk