



General Assembly

January Session, 2005

Raised Bill No. 6714

LCO No. 3494

03494_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING PHYSICIAN PROFILES AND CONTINUING MEDICAL EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-88b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) (1) Notwithstanding section 19a-14 or any other provisions of the
4 general statutes relating to continuing education or refresher training,
5 the Department of Public Health shall renew a license, certificate,
6 permit or registration issued to an individual pursuant to chapters
7 368d, 368v, [370] 371 to 388, inclusive, 393a, 395, 398, 399, 400a and
8 400c [which] that becomes void pursuant to section 19a-88 or 19a-195b
9 while the holder [thereof] of the license, certificate, permit or
10 registration is on active duty in the armed forces of the United States,
11 [within] not later than six months from the date of discharge from
12 active duty, upon completion of any continuing education or refresher
13 training required to renew a license, certificate, registration or permit
14 [which] that has not become void pursuant to section 19a-88 or 19a-
15 195b. A licensee applying for license renewal pursuant to this section
16 shall submit an application on a form prescribed by the department

17 and other such documentation as may be required by the department.

18 (2) Notwithstanding section 19a-14 or any other provision of the
19 general statutes relating to continuing education, the Department of
20 Public Health shall renew a license issued to an individual pursuant to
21 chapter 370 that becomes void pursuant to section 19a-88 while the
22 holder of the license is on active duty in the armed forces of the United
23 States, not later than one year from the date of discharge from active
24 duty, upon completion of twenty-five contact hours of continuing
25 education that meet the criteria set forth in subsection (b) of section 5
26 of this act. A licensee applying for license renewal pursuant to this
27 subdivision shall submit an application on a form prescribed by the
28 department and other such documentation as may be required by the
29 department.

30 (b) The provisions of this section [shall] do not apply to reservists or
31 National Guard members on active duty for annual training that is a
32 regularly scheduled obligation for reservists or members of the
33 National Guard for training [which] that is not a part of mobilization.

34 (c) No license shall be issued under this section to any applicant
35 against whom professional disciplinary action is pending or who is the
36 subject of an unresolved complaint.

37 Sec. 2. Section 20-13c of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2005*):

39 The board is authorized to restrict, suspend or revoke the license or
40 limit the right to practice of a physician or take any other action in
41 accordance with section 19a-17, for any of the following reasons: (1)
42 Physical illness or loss of motor skill, including, but not limited to,
43 deterioration through the aging process; (2) emotional disorder or
44 mental illness; (3) abuse or excessive use of drugs, including alcohol,
45 narcotics or chemicals; (4) illegal, incompetent or negligent conduct in
46 the practice of medicine; (5) possession, use, prescription for use, or
47 distribution of controlled substances or legend drugs, except for

48 therapeutic or other medically proper purposes; (6) misrepresentation
49 or concealment of a material fact in the obtaining or reinstatement of a
50 license to practice medicine; (7) failure to adequately supervise a
51 physician assistant; (8) failure to fulfill any obligation resulting from
52 participation in the National Health Service Corps; (9) failure to
53 maintain professional liability insurance or other indemnity against
54 liability for professional malpractice as provided in subsection (a) of
55 section 20-11b; (10) failure to provide information requested by the
56 department for purposes of completing a health care provider profile,
57 as required by section 20-13j, as amended by this act; (11) engaging in
58 any activity for which accreditation is required under section 19a-690
59 or 19a-691 without the appropriate accreditation required by section
60 19a-690 or 19a-691; (12) failure to provide evidence of accreditation
61 required under section 19a-690 or 19a-691 as requested by the
62 department pursuant to section 19a-690 or 19a-691; (13) failure to
63 comply with the continuing medical education requirements set forth
64 in section 5 of this act; or ~~[(13)]~~ (14) violation of any provision of this
65 chapter or any regulation established hereunder. In each case, the
66 board shall consider whether the physician poses a threat, in the
67 practice of medicine, to the health and safety of any person. If the
68 board finds that the physician poses such a threat, the board shall
69 include such finding in its final decision and act to suspend or revoke
70 the license of said physician.

71 Sec. 3. Subsection (b) of section 20-13j of the general statutes is
72 repealed and the following is substituted in lieu thereof (*Effective*
73 *October 1, 2005*):

74 (b) The department, after consultation with the Connecticut Medical
75 Examining Board and the Connecticut State Medical Society shall
76 collect the following information to create an individual profile on
77 each physician for dissemination to the public:

78 (1) The name of the medical school attended by the physician and
79 the date of graduation;

80 (2) The site, training, discipline and inclusive dates of the
81 physician's postgraduate medical education required pursuant to the
82 applicable licensure section of the general statutes;

83 (3) The area of the physician's practice specialty;

84 (4) The address of the physician's primary practice location or
85 primary practice locations, if more than one;

86 (5) A list of languages, other than English, spoken at the physician's
87 primary practice locations;

88 (6) An indication of any disciplinary action taken against the
89 physician by the department, [or by] the state board or any
90 professional licensing or disciplinary body in another jurisdiction;

91 (7) Any current certifications issued to the physician by a specialty
92 board of the American Board of Medical Specialties;

93 (8) The hospitals and nursing homes at which the physician has
94 admitting privileges;

95 (9) Any appointments of the physician to Connecticut medical
96 school faculties and an indication as to whether the physician has
97 current responsibility for graduate medical education;

98 (10) A listing of the physician's publications in peer reviewed
99 literature;

100 (11) A listing of the physician's professional services, activities and
101 awards;

102 (12) Any hospital disciplinary actions against the physician that
103 resulted, within the past ten years, in the termination or revocation of
104 the physician's hospital privileges for a medical disciplinary cause or
105 reason, or the resignation from, or nonrenewal of, medical staff
106 membership or the restriction of privileges at a hospital taken in lieu of
107 or in settlement of a pending disciplinary case related to medical

108 competence in such hospital;

109 (13) A description of any criminal conviction of the physician for a
110 felony within the last ten years. For the purposes of this subdivision, a
111 physician shall be deemed to be convicted of a felony if the physician
112 pleaded guilty or was found or adjudged guilty by a court of
113 competent jurisdiction or has been convicted of a felony by the entry of
114 a plea of nolo contendere; [and]

115 (14) To the extent available, and consistent with the provisions of
116 subsection (c) of this section, all medical malpractice court judgments
117 and all medical malpractice arbitration awards against the physician in
118 which a payment was awarded to a complaining party during the last
119 ten years, and all settlements of medical malpractice claims against the
120 physician in which a payment was made to a complaining party
121 within the last ten years;

122 (15) An indication as to whether the physician is currently
123 providing direct patient care services; and

124 (16) The name of the physician's professional liability insurance
125 carrier and the policy number.

126 Sec. 4. Subsection (k) of section 20-13j of the general statutes is
127 repealed and the following is substituted in lieu thereof (*Effective*
128 *October 1, 2005*):

129 (k) A physician shall notify the department of any changes to the
130 information required in [subdivisions (3), (4), (5), (7), (8) and (13) of]
131 subsection (b) of this section, as amended by this act, not later than
132 sixty days after such change.

133 Sec. 5. (NEW) (*Effective October 1, 2005*) (a) As used in this section:

134 (1) "Active professional practice" includes, but is not limited to,
135 activities of a currently licensed physician who functions as the
136 medical director of a managed care organization or other organization;

137 (2) "Commissioner" means the Commissioner of Public Health;

138 (3) "Contact hour" means a minimum of fifty minutes of continuing
139 education activity;

140 (4) "Department" means the Department of Public Health;

141 (5) "Licensee" means any person who receives a license from the
142 department pursuant to section 20-13 of the general statutes; and

143 (6) "Registration period" means the one-year period for which a
144 license has been renewed in accordance with section 19a-88 of the
145 general statutes and is current and valid.

146 (b) Except as otherwise provided in subsections (d), (e) and (f) of
147 this section, for registration periods beginning on and after October 1,
148 2007, the department shall not renew a license for any licensee
149 applying for license renewal pursuant to section 19a-88 of the general
150 statutes, unless the licensee has earned a minimum of fifty contact
151 hours of continuing medical education within the preceding twenty-
152 four-month period. Such continuing medical education shall (1) be in
153 an area of the physician's practice specialty; (2) reflect the professional
154 needs of the licensee in order to meet the health care needs of the
155 public; and (3) include at least one contact hour of training or
156 education in infectious diseases, including, but not limited to, acquired
157 immune deficiency syndrome and human immunodeficiency virus,
158 and risk management, sexual assault and domestic violence. For
159 purposes of this section, qualifying continuing medical education
160 activities include, but are not limited to, courses offered or approved
161 by the American Medical Association, American Osteopathic Medical
162 Association, Connecticut Hospital Association or the Connecticut State
163 Medical Society, county medical societies or equivalent organizations
164 in another jurisdiction, educational offerings sponsored by a hospital
165 or other health care institution or courses offered by a regionally
166 accredited academic institution.

167 (c) Each licensee applying for license renewal pursuant to section
168 19a-88 of the general statutes shall sign a statement attesting that the
169 licensee has satisfied the continuing education requirements of
170 subsection (a) of this section on a form prescribed by the department.
171 Each licensee shall retain records of attendance or certificates of
172 completion that demonstrate compliance with the continuing
173 education requirements of said subsection (a) for a minimum of three
174 years following the year in which the continuing education activities
175 were completed and shall submit such records to the department for
176 inspection not later than forty-five days after a request by the
177 department for such records.

178 (d) A licensee applying for the first time for license renewal
179 pursuant to section 19a-88 of the general statutes is exempt from the
180 continuing medical education requirements of this section.

181 (e) (1) A licensee who is not engaged in active professional practice
182 in any form during a registration period shall be exempt from the
183 continuing medical education requirements of this section, provided
184 the licensee submits to the department, prior to the expiration of the
185 registration period, a notarized application for exemption on a form
186 prescribed by the department and such other documentation as may
187 be required by the department. The application for exemption
188 pursuant to this subdivision shall contain a statement that the licensee
189 may not engage in professional practice until the licensee has met the
190 requirements set forth in subdivision (2) or (3) of this subsection, as
191 appropriate.

192 (2) Any licensee who is exempt from the provisions of subsection (b)
193 of this section for less than two years shall be required to complete
194 twenty-five contact hours of continuing medical education that meets
195 the criteria set forth in said subsection (b) within the twelve-month
196 period immediately preceding the licensee's return to active
197 professional practice.

198 (3) Any licensee who is exempt from the requirements of subsection

199 (b) of this section for two or more years shall be required to
200 successfully complete the Special Purpose Examination of the
201 Federation of State Medical Boards prior to returning to active
202 professional practice.

203 (f) In individual cases involving medical disability or illness, the
204 commissioner may, in the commissioner's discretion, grant a waiver of
205 the continuing education requirements or an extension of time within
206 which to fulfill the continuing education requirements of this section to
207 any licensee, provided the licensee submits to the department an
208 application for waiver or extension of time on a form prescribed by the
209 department, along with a certification by a licensed physician of the
210 disability or illness and such other documentation as may be required
211 by the commissioner. The commissioner may grant a waiver or
212 extension for a period not to exceed one registration period, except that
213 the commissioner may grant additional waivers or extensions if the
214 medical disability or illness upon which a waiver or extension is
215 granted continues beyond the period of the waiver or extension and
216 the licensee applies for an additional waiver or extension.

217 (g) The department shall renew a license issued to any licensee that
218 becomes void pursuant to section 19a-88 of the general statutes,
219 provided the licensee (1) applies to the commissioner for
220 reinstatement, and (2) submits evidence documenting successful
221 completion of twenty-five contact hours of continuing education
222 within the one-year period immediately preceding application for
223 reinstatement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	19a-88b
Sec. 2	<i>October 1, 2005</i>	20-13c
Sec. 3	<i>October 1, 2005</i>	20-13j(b)
Sec. 4	<i>October 1, 2005</i>	20-13j(k)
Sec. 5	<i>October 1, 2005</i>	New section

Statement of Purpose:

To provide for better updating of physician profiles and to establish continuing medical education requirements for practicing physicians.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]