



General Assembly

January Session, 2009

**Raised Bill No. 6522**

LCO No. 3634

\*03634\_\_\_\_\_HS\_\*

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING LICENSING FOR INDIVIDUALS PERFORMING SERVICES UNDER AGREEMENTS WITH FEDERALLY QUALIFIED HEALTH CENTERS.**

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

1 Section 1. Section 20-9 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person shall, for compensation, gain or reward, received or  
4 expected, diagnose, treat, operate for or prescribe for any injury,  
5 deformity, ailment or disease, actual or imaginary, of another person,  
6 nor practice surgery, until he has obtained such a license as provided  
7 in section 20-10, and then only in the kind or branch of practice stated  
8 in such license.

9 (b) The provisions of this chapter shall not apply to:

10 (1) Dentists while practicing dentistry only;

11 (2) Any person in the employ of the United States government while  
12 acting in the scope of his employment;

13 (3) Any person who furnishes medical or surgical assistance in cases  
14 of sudden emergency;

15 (4) Any person residing out of this state who is employed to come  
16 into this state to render temporary assistance to or consult with any  
17 physician or surgeon who has been licensed in conformity with the  
18 provisions of this chapter;

19 (5) Any physician or surgeon residing out of this state who holds a  
20 current license in good standing in another state and who is employed  
21 to come into this state to treat, operate or prescribe for any injury,  
22 deformity, ailment or disease from which the person who employed  
23 such physician, or the person on behalf of whom such physician is  
24 employed, is suffering at the time when such nonresident physician or  
25 surgeon is so employed, provided such physician or surgeon may  
26 practice in this state without a Connecticut license for a period not to  
27 exceed thirty consecutive days;

28 (6) Any person rendering service as (A) an advanced practice  
29 registered nurse if such service is rendered in collaboration with a  
30 licensed physician, or (B) an advanced practice registered nurse  
31 maintaining classification from the American Association of Nurse  
32 Anesthetists if such service is under the direction of a licensed  
33 physician;

34 (7) Any nurse-midwife practicing nurse-midwifery in accordance  
35 with the provisions of chapter 377;

36 (8) Any podiatrist licensed in accordance with the provisions of  
37 chapter 375;

38 (9) Any Christian Science practitioner who does not use or prescribe  
39 in his practice any drugs, poisons, medicines, chemicals, nostrums or  
40 surgery;

41 (10) Any person licensed to practice any of the healing arts named  
42 in section 20-1, who does not use or prescribe in his practice any drugs,

43 medicines, poisons, chemicals, nostrums or surgery;

44 (11) Any graduate of any school or institution giving instruction in  
45 the healing arts who has been issued a permit in accordance with  
46 subsection (a) of section 20-11a and who is serving as an intern,  
47 resident or medical officer candidate in a hospital;

48 (12) Any student participating in a clinical clerkship program who  
49 has the qualifications specified in subsection (b) of section 20-11a;

50 (13) Any person, otherwise qualified to practice medicine in this  
51 state except that he is a graduate of a medical school located outside of  
52 the United States or the Dominion of Canada which school is  
53 recognized by the American Medical Association or the World Health  
54 Organization, to whom the Connecticut Medical Examining Board,  
55 subject to such regulations as the Commissioner of Public Health, with  
56 advice and assistance from the board, prescribes, has issued a permit  
57 to serve as an intern or resident in a hospital in this state for the  
58 purpose of extending his education;

59 (14) Any person rendering service as a physician assistant licensed  
60 pursuant to section 20-12b, a registered nurse, a licensed practical  
61 nurse or a paramedic, as defined in subdivision (15) of section 19a-175,  
62 acting within the scope of regulations adopted pursuant to section 19a-  
63 179, if such service is rendered under the supervision, control and  
64 responsibility of a licensed physician;

65 (15) Any student enrolled in an accredited physician assistant  
66 program or paramedic program approved in accordance with  
67 regulations adopted pursuant to section 19a-179, who is performing  
68 such work as is incidental to his course of study;

69 (16) Any person who, on June 1, 1993, has worked continuously in  
70 this state since 1979 performing diagnostic radiology services and who,  
71 as of October 31, 1997, continued to render such services under the  
72 supervision, control and responsibility of a licensed physician solely

73 within the setting where such person was employed on June 1, 1993;

74 (17) Any person practicing athletic training, as defined in section 20-  
75 65f;

76 (18) When deemed by the Connecticut Medical Examining Board to  
77 be in the public's interest, based on such considerations as academic  
78 attainments, specialty board certification and years of experience, to a  
79 foreign physician or surgeon whose professional activities shall be  
80 confined within the confines of a recognized medical school;

81 (19) Any technician engaging in tattooing in accordance with the  
82 provisions of section 19a-92a and any regulations adopted thereunder;  
83 or

84 (20) Any person practicing perfusion, as defined in section 20-162aa.

85 (c) This section shall not authorize anyone to practice optometry, as  
86 defined in chapter 380, or to practice dentistry, as defined in chapter  
87 379, or dental hygiene, as defined in chapter 379a.

88 (d) The provisions of subsection (a) of this section shall apply to any  
89 individual whose practice of medicine includes any ongoing, regular  
90 or contractual arrangement whereby, regardless of residency in this or  
91 any other state, he provides, through electronic communications or  
92 interstate commerce, diagnostic or treatment services, including  
93 primary diagnosis of pathology specimens, slides or images, to any  
94 person located in this state. In the case of electronic transmissions of  
95 radiographic images, licensure shall be required for an out-of-state  
96 physician who provides, through an ongoing, regular or contractual  
97 arrangement, official written reports of diagnostic evaluations of such  
98 images to physicians or patients in this state. The provisions of  
99 subsection (a) of this section shall not apply to a nonresident physician  
100 who, while located outside this state, consults (A) on an irregular basis  
101 with a physician licensed by section 20-10 who is located in this state  
102 or (B) with a medical school within this state for educational or

103 medical training purposes. Notwithstanding the provisions of this  
104 subsection, the provisions of subsection (a) of this section shall not  
105 apply to: [any] (1) Any individual who regularly provides the types of  
106 services described in this subsection pursuant to any agreement or  
107 arrangement with a short-term acute care general hospital, licensed by  
108 the Department of Public Health, provided such agreement or  
109 arrangement was entered into prior to February 1, 1996, and is in effect  
110 as of October 1, 1996; or (2) any individual who regularly provides the  
111 types of services described in this subsection pursuant to any  
112 agreement or arrangement with a Federally Qualified Health Center,  
113 provided the individual performing such services is a nonresident of  
114 this state.

115 (e) On and after October 1, 1999, any person licensed as an  
116 osteopathic physician or osteopath pursuant to chapter 371 shall be  
117 deemed licensed as a physician and surgeon pursuant to this chapter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-9

**Statement of Purpose:**

To exempt certain nonresident physicians from licensing requirements.

*[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.]*