



General Assembly

Substitute Bill No. 186

February Session, 2012

* SB00186PH 032312 *

AN ACT CONCERNING THE LICENSING, INVESTIGATION AND DISCIPLINARY PROCESSES FOR PHYSICIANS AND NURSES.

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

1 Section 1. Subsections (a) to (c), inclusive, of section 20-8a of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) There shall be within the Department of Public Health a
5 Connecticut Medical Examining Board.

6 (1) Said board shall consist of fifteen members appointed by the
7 Governor, subject to the provisions of section 4-9a, in the manner
8 prescribed for department heads in section 4-7, as follows: Five
9 physicians practicing in the state; one physician who shall be a
10 full-time member of the faculty of The University of Connecticut
11 School of Medicine; one physician who shall be a full-time chief of staff
12 in a general-care hospital in the state; one physician who shall be a
13 supervising physician for one or more physician assistants; one
14 physician who shall be a graduate of a medical education program
15 accredited by the American Osteopathic Association; one physician
16 assistant licensed pursuant to section 20-12b and practicing in this
17 state; and five public members.

18 (2) On and after October 1, 2012, said board shall consist of twenty-

19 one members, thirteen of whom are physicians, one of whom is a
20 physician assistant and seven of whom are public members, all of
21 whom are appointed by the Governor, subject to the provisions of
22 section 4-9a, in the manner prescribed for department heads in section
23 4-7, as follows: Three physicians of any specialty; three physicians who
24 shall be specialists in internal medicine; one physician who shall be a
25 psychiatrist; one physician who shall be a surgeon; one physician who
26 shall be an obstetrician-gynecologist; one physician who shall be a
27 pediatrician; one physician who shall be an emergency medical
28 physician; one physician who shall be a supervising physician for one
29 or more physician assistants; one physician who shall be a graduate of
30 a medical education program accredited by the American Osteopathic
31 Association; one physician assistant licensed pursuant to section
32 20-12b; and seven public members.

33 (3) No professional member of said board shall be an elected or
34 appointed officer of a professional society or association relating to
35 such member's profession at the time of appointment to the board or
36 have been such an officer during the year immediately preceding
37 appointment or serve for more than two consecutive terms.
38 Professional members shall be practitioners in good professional
39 standing and residents of this state.

40 (b) All vacancies shall be filled by the Governor in the manner
41 prescribed for department heads in section 4-7. [Successors] On and
42 after October 1, 2012, successors and appointments to fill a vacancy
43 shall fulfill the same qualifications as the member succeeded or
44 replaced. In addition to the requirements in sections 4-9a and 19a-8, no
45 person whose spouse, parent, brother, sister, child or spouse of a child
46 is a physician, as defined in section 20-13a, or a physician assistant, as
47 defined in section 20-12a, shall be appointed as a public member.

48 (c) The Commissioner of Public Health shall establish a list of
49 [twenty-four] persons who may serve as members of medical hearing
50 panels established pursuant to subsection (g) of this section. Persons
51 appointed to the list shall serve as members of the medical hearing

52 panels and provide the same services as members of the Connecticut
53 Medical Examining Board. Members from the list serving on such
54 panels shall not be voting members of the Connecticut Medical
55 Examining Board.

56 (1) The list shall consist of twenty-four members appointed by the
57 commissioner, at least eight of whom shall be physicians, as defined in
58 section 20-13a, with at least one of such physicians being a graduate of
59 a medical education program accredited by the American Osteopathic
60 Association, at least one of whom shall be a physician assistant
61 licensed pursuant to section 20-12b, and nine of whom shall be
62 members of the public.

63 (2) On and after October 1, 2012, the list shall consist of thirty-six
64 members appointed by the commissioner, twenty-three of whom shall
65 be physicians, as defined in section 20-13a, with at least two physicians
66 who shall be specialists in internal medicine; one physician who shall
67 be a psychiatrist; one physician who shall be a psychiatrist specializing
68 in addiction medicine; one physician who shall be an obstetrician-
69 gynecologist; one physician who shall be a pediatrician; one physician
70 who shall be an emergency medicine physician; one physician who
71 shall be a surgeon; one physician who shall be an anesthesiologist; and
72 one physician who shall be a graduate of a medical education program
73 accredited by the American Osteopathic Association; one who shall be
74 a physician assistant licensed pursuant to section 20-12b; and twelve
75 who shall be members of the public.

76 (3) No professional member of the list shall be an elected or
77 appointed officer of a professional society or association relating to
78 such member's profession at the time of appointment to the list or have
79 been such an officer during the year immediately preceding such
80 appointment to the list. A licensed professional appointed to the list
81 shall be a practitioner in good professional standing and a resident of
82 this state. All vacancies shall be filled by the commissioner.
83 [Successors] On and after October 1, 2012, successors and professional
84 members appointed to fill a vacancy on the list shall possess the same

85 qualifications as those required of the member succeeded or replaced.
86 No person whose spouse, parent, brother, sister, child or spouse of a
87 child is a physician, as defined in section 20-13a, or a physician
88 assistant, as defined in section 20-12a, shall be appointed to the list as a
89 member of the public. Each person appointed to the list shall serve
90 without compensation at the pleasure of the commissioner. Each
91 medical hearing panel shall consist of three members, one of whom
92 shall be a member of the Connecticut Medical Examining Board, one of
93 whom shall be a physician or physician assistant, as appropriate, and
94 one of whom shall be a public member. The physician and public
95 member may be a member of the board or a member from the list
96 established pursuant to this subsection.

97 Sec. 2. Subsection (b) of section 20-10b of the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective from*
99 *passage*):

100 (b) Except as otherwise provided in subsections (d), (e) and (f) of
101 this section, [for registration periods beginning on and after October 1,
102 2007,] a licensee applying for license renewal shall earn a minimum of
103 fifty contact hours of continuing medical education within the
104 preceding twenty-four-month period. Such continuing medical
105 education shall (1) be in an area of the physician's practice; (2) reflect
106 the professional needs of the licensee in order to meet the health care
107 needs of the public; and (3) include at least one contact hour of training
108 or education in each of the following topics: (A) Infectious diseases,
109 including, but not limited to, acquired immune deficiency syndrome
110 and human immunodeficiency virus, (B) risk management, (C) sexual
111 assault, (D) domestic violence, and (E) [for registration periods
112 beginning on and after October 1, 2010,] cultural competency. For
113 purposes of this section, qualifying continuing medical education
114 activities include, but are not limited to, courses offered or approved
115 by the American Medical Association, American Osteopathic Medical
116 Association, Connecticut Hospital Association, Connecticut State
117 Medical Society, county medical societies or equivalent organizations
118 in another jurisdiction, educational offerings sponsored by a hospital

119 or other health care institution or courses offered by a regionally
120 accredited academic institution or a state or local health department.
121 The commissioner may grant a waiver for not more than ten contact
122 hours of continuing medical education for a physician who: (1)
123 Engages in activities related to the physician's service as a member of
124 the Connecticut Medical Examining Board, established pursuant to
125 section 20-8a, as amended by this act; (2) engages in activities related
126 to the physician's service as a member of a medical hearing panel,
127 pursuant to section 20-8a, as amended by this act; or (3) assists the
128 department with its duties to boards and commissions as described in
129 section 19a-14.

130 Sec. 3. Subsection (g) of section 19a-88 of the general statutes is
131 repealed and the following is substituted in lieu thereof (*Effective*
132 *October 1, 2012*):

133 (g) [On or before July 1, 2008, the] The Department of Public Health
134 shall [establish and implement] administer a secure on-line license
135 renewal system for persons holding a license to practice medicine or
136 surgery under chapter 370, dentistry under chapter 379 or nursing
137 under chapter 378. The department shall [allow] require any such
138 person [who renews] to renew his or her license using the on-line
139 license renewal system and to pay his or her professional service fees
140 on-line by means of a credit card or electronic transfer of funds from a
141 bank or credit union account and may charge such person a service fee
142 not to exceed five dollars for any such on-line payment made by credit
143 card or electronic funds transfer. [On or before January 1, 2009, the
144 department shall submit, in accordance with section 11-4a, a report on
145 the feasibility and implications of the implementation of a biennial
146 license renewal system for persons holding a license to practice
147 nursing under chapter 378 to the joint standing committee of the
148 General Assembly having cognizance of matters relating to public
149 health.]

150 Sec. 4. Subsection (a) of section 20-88 of the general statutes is
151 repealed and the following is substituted in lieu thereof (*Effective from*

152 *passage*):

153 (a) The Connecticut State Board of Examiners for Nursing shall
 154 consist of twelve members who are residents of the state to be
 155 appointed by the Governor subject to the provisions of section 4-9a.
 156 The Governor shall appoint two members who shall be graduates of an
 157 approved school for licensed practical nursing; five members who
 158 shall be registered nurses, [three] one of whom shall, at the time of
 159 appointment, be connected with an institution affording opportunities
 160 for the education of nurses, [and at least] two of whom shall hold
 161 master's degrees in nursing from a recognized college or university
 162 and one of whom shall [be at the time of appointment an instructor in
 163 an approved school for licensed practical nurses] hold a degree of a
 164 doctor of nursing practice or doctor of nursing science from a
 165 recognized college or university; one member who shall be an
 166 advanced practice registered nurse; and four members who shall be
 167 public members. Members of said board shall be residents of this state
 168 and professional members shall maintain good professional standing.
 169 No member of said board shall be an elected or appointed officer of
 170 any professional association of nurses or have been such an officer
 171 during the year immediately preceding his appointment. No member
 172 shall serve more than two full consecutive terms which commence
 173 after July 1, 1980. Any vacancy shall be filled by the Governor for the
 174 unexpired portion of the term.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-8a(a) to (c)
Sec. 2	<i>from passage</i>	20-10b(b)
Sec. 3	<i>October 1, 2012</i>	19a-88(g)
Sec. 4	<i>from passage</i>	20-88(a)

Statement of Legislative Commissioners:

In sections 1(a) and (c), subdivision designators were inserted and the description of existing board membership was separated from the description of board membership as of October 1, 2012, to clarify that

the board membership as stated in the existing statute remains in place until October 1, 2012.

PH *Joint Favorable Subst.*