

BEFORE THE BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.156.603 applications for)
licensure)

TO: All Concerned Persons

1. On April 25, 2013, the Board of Medical Examiners (board) published MAR Notice No. 24-156-78 regarding the public hearing on the proposed amendment of the above-stated rule, at page 576 of the 2013 Montana Administrative Register, Issue No. 8.

2. On May 20, 2013, a public hearing was held on the proposed amendment of the above-stated rule in Helena. Several comments were received by the May 28, 2013, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments received and the board's responses are as follows:

COMMENT 1: One commenter applauded the board for no longer requiring references as part of the application process, and for offering an array of options for physicians re-entering the practice of medicine, instead of being tied exclusively to an examination.

RESPONSE 1: The board appreciates all comments received during the rulemaking process.

COMMENT 2: One commenter asked the board to amend ARM 24.156.618, which sets out the requirements for physicians re-entering practice after more than two years of inactive license status, to address new applicants who have not practiced, and then add that amended language to this rule.

RESPONSE 2: The board is amending the rule exactly as proposed. The board notes that the reference to ARM 24.156.618, which was amended December 7, 2012, via MAR Notice No. 24-156-76, ensures that reactivating physicians and new applicants who have not engaged in clinical practice are treated in the same manner.

COMMENT 3: One commenter stated that language in ARM 24.156.603(3) may be confusing for physicians who have recently completed a residency or fellowship program, and asks the board to clarify why this language is included.

RESPONSE 3: The board agrees with the commenter and is amending the rule by striking "excluding residency or fellowship training."

COMMENT 4: One commenter appreciated offering an expedited license process with staff independently verifying information, but asked that this independent verification be utilized by the board for all applications, not just expedited ones.

RESPONSE 4: The board notes that all routine applications are being processed in an improved, efficient, and timely manner with staff independently verifying information electronically.

4. The board has amended ARM 24.156.603 with the following changes, stricken matter interlined, new matter underlined:

24.156.603 APPLICATIONS - EXPEDITED LICENSURE (1) and (2) remain as proposed.

(3) An applicant who has not engaged in the active clinical practice of medicine, ~~excluding residency or fellowship training~~, for the two or more years preceding his or her application must meet the requirements set forth in ARM 24.156.618.

(4) through (8) remain as proposed.

BOARD OF MEDICAL EXAMINERS
KRISTIN SPANJIAN, MD, PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State September 9, 2013